

**Rape as Torture:
Re-reading the Rape of the Levite's Concubine in Judges 19**

By

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Declaration

By submitting this thesis, I declare that the entirety of the work contained therein is my own, original work, that I am the authorship owner thereof (unless to the extent explicitly otherwise stated) and that I have not previously in its entirety or in part submitted it for obtaining any qualification.

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Abstract

Rape has become a way of life in South Africa. From narratives lived and shared, we know how pervasive violence against women is, to such a degree that some refer to it as a gender civil war in South Africa. The reality is that South African women have a greater chance of being raped than graduating from High School. Every day we read about the rape of yet another woman, child or baby. Their used and abused bodies are found in public toilets, construction sites or left out in the veld. Some live to tell the tales of horror, other's bodies are raped beyond recognition. Those women, who are not yet raped, live in fear of the threat of rape, because the threat of rape is an efficient reminder that women are not safe and their bodies not theirs.

This study will explore recent theories that understand rape in terms of torture as a hermeneutical framework for reading the rape narrative portrayed in Judges 19-21. In the first instance, this thesis will outline recent theories that understand rape in terms of torture. In Chapter 2 it will be shown that it is particularly important to demonstrate the significance of classifying rape as torture. In the second instance I will re-read Judges 19-21 through the theoretical lens of rape as torture. As an Old Testament Feminist scholar, I argue that it is important to have a good understanding of the theoretical underpinnings of rape that one then utilize when reading the biblical stories that deal with rape. I propose that we must go back to the biblical text and apply rape as torture to the ancient stories. Building upon and in conversation with these readings of Judges 19-21, I propose that new perspectives on the narrative in Judges 19-21 are revealed when one reads and analyses the narrative through the theoretical lens of Rape as Torture. In this regard, I will employ the theoretical framework identified in the second chapter of this thesis that builds on theoretical perspectives regarding rape of Catharine MacKinnon, Elaine Scarry and within a South African context, Louise du Toit, as a way to reread the narrative of Judges 19-21.

Finally, I will demonstrate in this thesis how a biblical text such as Judges 19 can serve as a conscientization tool regarding the reality and the effect of rape in our society. As a religious studies educator working in a school context, I believe that biblical literature can serve as an important pedagogical tool that strengthens our ability to confront sexual violence.

Therefore this thesis is developed not only for the victims of sexual violence, but also with the purpose of playing some role in changing the way young people and society view rape.

Opsomming

Verkragting het in Suid-Afrika deel van ons alledaagse bestaan geword. Vanuit die verhale wat geleef en gedeel word, is dit duidelik dat geweld teen vroue so vollop in ons land is, dat daarna verwys word as 'n geslagsburgeroorlog in Suid-Afrika. Die realiteit is dat Suid-Afrikaanse vroue 'n beter kans het om verkrag te word, as om 'n skoolloopbaan te voltooi. Daaglik lees ons oor die verkragting van nog 'n vrou, kind of baba. Hul gebroke en gebruikte liggame word in publieke badkamers, tussen bourommel of in die veld gelos. Sommige oorleef om die gruwel te vertel, ander se liggame word onherkenbaar verniel. Die vroue wat nog nie verkrag is nie, leef met die konstante vrees van verkragting wat dien as 'n herinnering dat hul nie veilig is nie en dat hul liggame nie meer hul eie is nie.

In hierdie studie sal daar na onlangse teorieë rondom verkragting as marteling gekyk word, met die oog om hierdie standpunt as 'n hermeneutiese raamwerk vir die lees en verstaan van die verkragting in Rigters 19-21 aan te wend. Eerstens sal die tesis die onlangse teorieë met betrekking tot verkragting as marteling bespreek. In Hoofstuk 2 sal daar gefokus word op die belangrikheid daarvan om verkragting as marteling te sien. Tweedens sal ek Rigters 19-21 herlees met behulp van die teoretiese lens van verkragting as marteling. As 'n Ou Testamentiese feministiese geleerde, argumenteer ek dat dit belangrik is om die onderliggende teorieë van verkragting ten volle te verstaan en dan te ontgin wanneer die Bybelse verhale van verkragting gelees en bestudeer word. Ek stel voor dat ons terug gaan na die Bybelse teks en dan verkragting as marteling toepas op hierdie eeue oue verhale. Deur te bou op hierdie perspektief met die lees van Rigters 19-21, stel ek dus voor dat die gesprek voortgesit word vanuit die oogpunt van verkragting as marteling. Ek sal dus in die tweede hoofstuk van hierdie tesis 'n teoretiese raamwerk identifiseer gebaseer op die teoretiese perspektiewe van Catherine MacKinnon, Elaine Scarry en binne die Suid-Afrikaanse konteks, Louise du Toit, wat gebruik sal word om die verhaal in Rigters 19-21 te herlees.

Laastens sal ek vasstel hoe 'n Bybelse teks soos Rigters 19-21 kan dien as 'n bewusmakingsinstrument om die realiteite en die effek van verkragting in ons gemeenskap bloot te lê. As 'n Religieuse Studie opvoeder wat werk in 'n skoolkonteks, glo ek dat die Bybelse literatuur kan dien as 'n belangrike pedagogiese middel om die kwessie rondom seksuele geweld aan te spreek. Hierdie tesis het dus nie net ontwikkel om die situasie van

slagoffers van seksuele geweld aan te spreek nie, maar dit het ook die doel om 'n rol te speel in die wyse waarop jongmense vandag oor verkragting dink en praat.

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To Kirsten

Courage does not always roar. Sometimes courage is the quiet voice at the end of the day saying, "I will try again tomorrow".

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Chapter 1

The Problem of Rape

1. BACKGROUND AND MOTIVATION

“In a world where women are commodities, a woman who refuses to sell herself will have the thing she refuses to sell taken away from her by force” (Angela Carter, 1978, p.55).

On Easter Monday I received a phone call from one of my grade 12 learners' parents. The mother reported that Michelle¹ would not return to school the following day, because she was gang raped and is not coping well with the trauma. I was devastated, not only because I have read so many rape stories in preparation for my thesis, but because Michelle has already tried to commit suicide more times than I can count on my two hands. I sat down on the couch and just tried to imagine how she must have felt. In the following week, I visited Michelle and she shared the account of what happened. Michelle went out with two of her friends and her brother. After they have danced the night away, they left the club and drove home. She and her brother gave the other two friends a ride home. Michelle told her brother to stop for petrol as the tank was empty. She has just uttered the word when the car came to a standstill. Her brother told the couple and Michelle to stay in the car; he will get petrol from a nearby station. They listened to him, locked the car doors and anxiously waited. After a few minutes they saw three men approaching. They grew scared, got out of the car and started walking. The three men increased their speed, and they started running. Michelle broke away from her friends, and crossed the road. The three men grabbed Michelle, threw her to the ground and took turns raping her. While the one man was penetrating her, the other inserted his penis in her mouth. The third man held a knife to her throat and in the dark she saw her friends running away. When the men were finished, they took her phone and ran away. She ran to the nearest house and asked to use the phone.

¹ Michelle is a pseudonym to protect the identity of the brave young woman whose story is being told.

She called her parents and they came to pick her up. The account that follows is in many ways more horrific than the actual rape.

Her parents took her to a private hospital in a town where they live. They could not help her, because they did not have a rape kit. They went to the next hospital, which also send her away, saying she must first make a case and then return. Michelle's mother begged, saying, they do not care about making a case, she just needs help for her daughter. They refused. They went to the nearest police station and after waiting 45 minutes, the police also sent her away, saying she must go to the police station in the jurisdiction of where the rape had occurred. Finally they went to a government hospital with a well known rape crisis centre. The crisis centre was already closed. They waited for a doctor for two hours – to no avail. He did not show. Eventually the hospital sent her home, with the instruction not to bath or shower, because they must still collect evidence. She must wait at home, until they call her. She could smell them on her, taste them, but she may not wash the stench away. When she was finally helped, she was subjected to questions like: “Do you always dress in such a way?”, “What were you doing out so late?” and “Are you sure you do not know the men?”

I am trying to understand why in the context that I live and teach there was no one prepared to help a child in a country where 1 out of 4 women can expect to be raped? Are our hospitals too ill equipped to deal with the amount of rape victims? Does it happen too often, or can the apathetic attitude be ascribed to the fact that it is *just* rape.

The attitude is also reflected in some of the responses from the students I teach in a local high school. In response to my question of what they understood under “rape”, one student rather factitiously remarked: “It’s not rape, it’s a struggle with a snuggle.” The majority of the boys responded by saying that if their girlfriends or wives get raped, they will most definitely leave them. This shocking attitude of my students that are reflective of the general sentiments out there is appalling indeed. If it is not the implicit acceptance of misogyny in everything from normal conversations with friends and family to the media we consume, we accept the humiliation of women as well as the hyper-sexuality of men as the norm.

The same attitude towards rape is also reflected in South Africa. Rape is seen as a joke. During the Jacob Zuma rape trial, it was evident why South Africa is losing the battle against rape. At the end of 2005, President Jacob Zuma was charged with rape. The charges were made by a young woman who was a self-proclaimed lesbian. The woman, known as Khwezi claimed that President Jacob Zuma raped her in his Forest Town home on 3 November 2005. In response to the Zuma trial, Pumla Gqola writes the following:

“This trial at the end of which Jacob Zuma was acquitted of raping the woman we know as Khwezi, was a significant moment in the history of South Africa’s relationships with rape. It was a mere six months of media reports of Khwezi’s rape charge and 8 May 2006, the date on which Judge Willem van der Merwe found Jacob Zuma not guilty of rape, rebuked Khwezi for lying to the court and criticised Zuma for recklessly “having sex” with Khwezi. Much that transpired inside and outside the court was instructive of how we deal with rape, why rape survivors make certain choices, and the fraught ways in which the legal system responds to and treats rape complainants” (Gqola, 2015, p.101).

The problem is that rape is also not taken seriously enough in the context in which I teach. As will be evident in this thesis, recent theories of rape increasingly view rape in terms of torture. Even though this topic has been discussed in academic circles, I am proposing that this way of speaking about rape has not yet trickled down to the rest of society and ought to become the norm when speaking about rape – also and especially in the school context in which I find myself. We must see rape as having the same effects on a person as torture. Rape as torture ought to become part of the vocabulary in our everyday discussion about rape.

As I am an Old Testament scholar, I believe that Biblical stories that speak of rape offer great potential as a pedagogical tool in helping raise awareness amongst the students whom I teach. In this regard, I have greatly been helped by Susanne Scholz who in her book on Rape in the Old Testament, *Sacred Witness*, encourages the reader to name sexual violence, because in naming it we reclaim the truth which we know, that the way things are is not the way they have to be. She writes that when we name things we will not be silent about it anymore. She is convinced that the silence that exists currently about rape is dangerous. When Christians and Jews alike affirm the Hebrew Bible as a sacred witness to rape, they are ready to confront a major injustice in today’s society. Scholz brings the biblical material into conversation with contemporary discourse on rape. One of her goals in

writing this book is to break the silence of rape in Scripture, framing it in terms of a theological conversation that may enter everyday conversations about rape (Scholz, 2010, pp. 208-210).

2. RESEARCH FOCUS

The research focus of this study will be to explore recent theories that understand rape in terms of torture as a hermeneutical framework for reading the rape narrative portrayed in Judges 19-21.

3. RESEARCH QUESTION

Related to this research focus, in this thesis I will be investigating two main questions:

- In what way can reframing the rape narrative in Judges 19-21 in terms of rape as torture help us gain new perspectives as to how we deal with rape today?
- In what way can the biblical text of Judges 19-21 serve as a means for raising awareness of the reality of rape and transforming our rape culture?

4. RESEARCH OBJECTIVES

In the first instance, this thesis will outline recent theories that understand rape in terms of torture. In Chapter 2 it will be shown that it is particularly important to demonstrate the significance of classifying rape as torture. In her book *A Phenomenology of Rape*, Dr Louise du Toit² describes why rape should be seen as torture.

² Dr Louise du Toit is an Associate Professor in the Department of Philosophy at the University of Stellenbosch. 'A Philosophical Investigation of Rape: The Making and Unmaking of the Feminine Self' (Routledge) was published in 2009. In that same year, Dr du Toit served as Guest Editor for the November 2009 special edition of Philosophical Papers that examined 'The Meaning/s of Rape'. She has published widely on the theme of rape and sexual violence, relating this to phenomenological analysis, feminist legal theory, transitional justice, philosophy and literature, and African thought.

“This would imply firstly that rape should be regarded as a political as well as a personal crime; secondly that rape is seen as a crime affecting its victims’ human rights and citizenship status, rather than being relegated to a ‘woman’s problem’ like pregnancy and childbirth; thirdly that rape, like torture is a crime that may affect men as well as women; and fourth that rape (like torture) is officially illegal but officially tolerated, so that masculinity and the male-biased or male-dominated public-sphere themselves become implicated in the perpetuation of the crime” (Du Toit, 2005, p. 255).

Using Elaine Scarry’s definition of torture, Louise du Toit unpacks the different aspects of rape. Scarry (1985:49) explains the relationship of a person’s body and voice in torture, and then explains how the torture victim loses their voice. She continues by saying that it is important to link rape with torture, because by doing so it will convince people to take rape more seriously.

Du Toit makes the argument that rape and sexual oppression should be taken as seriously as racial oppression and state-sanctioned use of torture. There is also another reason for the analogy between rape and torture. It facilitates the understanding of rape as an inter-subjective phenomenon or traumatic event.

In Catherine MacKinnon’s book *Are Women Human? And Other International Dialogues* (2006), she argues one must be able to take the international human rights norms and apply them to violence against woman, and more specifically rape. MacKinnon argues that the difference between torture and domestic violence, rape and abuse is that torture mostly is applied to men. She urges the reader to see many of the abuses that women endure as torture and should legally be conceived as exactly that. She states that the purpose of torture is generally to control, intimidate or eliminate and is therefore seen as political, but when abuse is sexual it is seen as a gendered crime. Catharine MacKinnon³ sharply points us to the international community’s indifference in violence against women.

³ Catharine MacKinnon made the suggestion that rape should be classified as torture in 1993 at the same time when the international community was facing up to the realities of mass rape in the former Yugoslavia. Feminists were acting against what was perceived to be the lack of interest in bringing perpetrators to justice and the failure to recognise the devastating, harmful nature of rape. MacKinnon argued that all rapes should be reconceived as ‘torture’, with the consequent positive impact this would have on legal recognition of the harms and international commitment to the prosecution and eradication of rape.

She challenges us to ask why this is so, pointing to the gendered nature of crimes against women and the factual similarities between such crimes and traditional ideas of torture.

In the second instance, I will re-read Judges 19-21 through the theoretical lens of rape as torture. As an Old Testament Feminist scholar, I argue that it is important to have a good understanding of the theoretical underpinnings of rape that one then utilize when reading the biblical stories that deal with rape. I propose that we must go back to the biblical narrative and apply rape as torture to the ancient stories.

Several feminist scholars have tried to make sense of Judges 19-21 which rightly has been called a “text of terror” – a term created by Phyllis Trible in her seminal work, with the same title. In this book, Trible broke the silence and showed that the Bible is not a safe space for women. The narrative in Judges 19-21 shows that misogyny, rape and war are interrelated structures of oppression and link to other social categories of domination. In these structures women are viewed as goods, to be used and even abused, eventually murdered and cut into pieces.

Building upon and in conversation with these readings of Judges 19-21, in Chapter 3 I propose that new perspectives on the narrative in Judges 19-21 are revealed when one reads and analyses the narrative through the theoretical lens of Rape as Torture. In this regard, I will employ the theoretical framework identified in the second chapter of this thesis that builds on theoretical perspectives regarding rape of Catharine MacKinnon, Elaine Scarry and within a South African context, Louise du Toit, as a way to reread the narrative of Judges 19-21.

Thirdly, I will demonstrate in this thesis how a biblical text such as Judges 19 can serve as a conscientization tool regarding the reality and the effect of rape in our society. In the conclusion to the book *Rape: the First Sourcebook for Feminists*, Mary Ann Manhart says the following about rape:

"Earlier in the book we stated that the initial step in the feminist process is consciousness-raising and the final step is political action... Consciousness-raising is a political act, and in turn, political action becomes consciousness-raising...In a sense, rape is not a reformist but a revolutionary issue because our ultimate goal is to eliminate rape and that goal cannot be achieved without a revolutionary transformation of our society. It means a transformation of the family, the economic system and the psychology of men

and women so that sexual exploitation along with economic exploitation becomes impossible and even unimaginable" (Manhart, 1974, p.250).

As a religious studies educator working in a school context, I believe that biblical literature can serve as an important pedagogical tool that strengthens our ability to confront sexual violence. Therefore this thesis is developed not only for the victims of sexual violence, but also with the purpose of playing some role in changing the way young people and society view rape. In my context, I regularly employ biblical narratives together with other sources and modern day narratives in order to facilitate conversation on rape. One such contemporary example is the drama *Karoo Moose*⁴ which tells the story of a 15-year-old heroine, Thozama. Her feeble father, Jonas, is in thrall to a thug, and, unable to honour his debts, he lets the men he owes rape his daughter. The traumatised girl, ignorant of even the basic facts of life, becomes pregnant. The rape of Thozama, for instance, is signalled by a scene in which she is wrapped in a net and has footballs kicked at her by the male actors. The scene in which she stands in a basin and desperately scrubs herself after being raped is almost too painful and intimate to watch. However, by watching and discussing this type of literature, one can create awareness about the devastating effect of rape.

Chapter 4 will thus reflect on the challenges and opportunities of employing biblical narratives such as the story told in Judges 19-21 in a school setting as means of creating awareness under both female and male students. For instance, in a collection of essays called *Transforming a Rape Culture*, Nan Stein writes the following.

"Listening to the stories of young woman's experiences of sexual harassment in schools has led me to see that schools may in fact be training grounds for domestic violence: Girls learn that they are on their own, that the adults and others around them will not believe or help them when they report sexual harassment or assault" (Stein, 2005, p. 57).

Unfortunately, domestic violence is not the only thing that these training grounds are teaching our future adults. It is teaching boys that rape equals sex.

⁴ *Karoo Moose* is an award-winning play by the South African playwright Lara Foot Newton. Set in a remote village in the Karoo, the play depicts the trials and tribulations of a young girl called Thozama.

In an article “Towards a Logic of Dignity: Educating Against Gender-Based Violence” in the *International Handbook on Learning, Teaching and Leadership in Faith-Based Schools*, Juliana Claassens (2014, p. 6-7) suggests that educators can follow steps in educating students about gender-violence by using a biblical text that narrates rape such as in the case of Judges 19-21 which include strategies such as helping students, both boys and girls, to recognize the reality of sexual violence in their communities, i.e. seeing rape as rape. Moreover, she shows how biblical narratives can be used to teach boys to embrace other forms of masculinity as well as teaching the kids important skills such as critical thinking, empathy and compassion.

5. METHODOLOGY

This study will employ two main methodological approaches. In the first instance, this study in conversation with recent feminist philosophical discussion on rape will offer a gender critical theoretical analysis of the reality of rape. Secondly, this study will employ feminist biblical interpretation with special attention to the literary-theological features of the text when reading one of the classic stories of rape in Judges 19-21.

In the rest of this chapter I will do two things. In the first instance, I will start with a critical analysis of rape in the South African context. This chapter will look at what rape and a rape culture is, consider the prevalence of rape in South Africa and consider some theories that explain the causes of rape in South Africa. And second, as an Old Testament Feminist interpreter, I will outline my approach to reading ancient texts in a contemporary context in terms of a gendered lens.

6. THEORETICAL PERSPECTIVES ON RAPE

a. *Painting the picture – Rape statistics and figures*

The World Health Organisation defines rape as “ the penetration, no matter how slight, of the vagina or anus with anybody part or object, or oral penetration by a sex organ of another person, without the consent of the victim” (WHO, 2011)

It is extremely complicated to obtain exact statistics on incidents of gender-based violence. The apathy and antagonism of the police and legal authorities, particularly regarding African and other non-white women during the apartheid era, still prevents some women from reporting these crimes. In addition to this, many women and girls fear reprisals, social stigma and ostracism from their families and communities if they dare to report an act of gender violence.

In South Africa there is talk of a rape catastrophe to the extent that the country is being labelled by the Human Rights Watch⁵ as the rape capital of the world, with one of the highest numbers of rape incidents per capita (Jewkes, 2002, p.1231). In 2007, the criminal Law Amendment Act 32 came into effect. The change in December 2007 created “new” sexual offences and also lengthened the definition of rape. This being said, comparing the latest rape statistics to that of before 2007 is almost impossible. Before the end of 2007 and the introduction of the SOA, the police reported separately on rape and what was then termed indecent assault. However, once the act was promulgated the police largely stopped providing data disaggregated by type of sexual offence and only provided figures for the total number of sexual offences overall. In other words, when the South African Police Service⁶ releases the statistics, rape can be found under “total sexual crimes”, along with 58 other separate offenses, ranging from sex work to gang rape. The 2013/2014 statistics report that there were 62 649 rape cases recorded. In 2011/2012 there were a total of 9 193 sexual offences reported to the South African Police Service in the Western Cape. This means a total of almost 27 cases per day. However, the South African Medical

⁵ Human Rights Watch is an international non-governmental organisation that conducts research and advocacy on human rights. The HRW was founded in 1978 as a private American NGO.

⁶ Statistics available from <http://www/saps.org.za>

Research Council⁷ has estimated that only one in nine rapes is actually reported to the police. If only one in nine rapes are reported, the true number of rape cases in the province would escalate to 82, 737 and just over 500 000 for the country. Over 40% of South African women will be raped in their lifetime. It is also estimated that 14% of perpetrators of rape are convicted in South Africa.

The crime figures may vary, but they are universally appalling. Beverly Haddad⁸ (2003, p.150) refers to numerous studies, stating that an estimate of one woman is killed by her male partner every six days in Gauteng; 44% of men in Cape Town have admitted to abusing their partners and 26.8% of women in the Eastern Cape, 28.4% in Mpumalanga, and 19.1% in the Northern Province have been physically abused by their partner. It was suggested in the 1990's that a woman is raped every 23 seconds in South Africa. This statistic has since been increased to one woman every 17 seconds. Also Denise Ackermann⁹ (2004, p.218) refers to research finding that many girls experienced their first sexual encounter as coercive and that 72% of girls attending clinics in KwaZulu-Natal admitted to not being able to effectively refuse sexual relations with their partners. According to Louise Du Toit (2009, p.2), there are 46 000 police recorded rapes in South Africa per year, while the Law Reform Commission estimates 1.7 million rapes per year. Du Toit also states that according to Interpol, South Africa has the highest rate of rape in the world. These statistics are still not reflective of the accurate degree of the rape epidemic as numerous rapes still go unreported (Jewkes & Abrahams, 2002).

A range of barriers add to the fact that many victims do not report the rape. Some of those barriers include: the victim's fear or retribution by the perpetrator, fear of not being believed, difficulty in obtaining access to the police, and the fear of institutional processes such as being ill-treated by the police (Jewkes & Abrahams, 2002). In 1997, only 19.8% of

⁷ The South African Medical Research Council was founded in 1969 with the intention to promote the improvement of the health and the quality of life of the population of South Africa through research, development and technology transfer.

⁸ Prof Beverly Haddad is Associate Professor in the Theology and Development Programme within the school of Religion, Philosophy and Classics at the University of KwaZulu Natal. Her interests lies in the intersection if HIV and Theology.

⁹ Denise Ackermann was a professor at the University of Stellenbosch and visiting professor at Auckland University in New Zealand. She holds a doctorate in Theology as well as a D.Th honoris causa.

the 22 121 reported rape cases resulted in conviction (Statistics South Africa, 1998). This fact adds to the belief that institutional processes are futile.

South African women also have to face other violent crimes. According to a study by the Medical Research Council, South Africa has a female murder rate six times higher than the universal average, and half the women that are murdered are killed by an intimate partner (Jewkes *et al* 2009, p. 1).

For the above-mentioned reasons, South Africa has become a society in which the freedom, dignity and flourishing of women are under constant attack through sexual violence and the threat thereof.

The Law Reform Commission Report¹⁰ on Sexual Offences Discussion Paper 85 also shows an awareness of the devastating effects of rape. The Discussion Paper visibly acknowledges the social and political function that sexual violence fulfils. The paper shows that sexual violence is a tool that serves patriarchy in which women are damaged and powerless. In Discussion Paper 85 it is stated:

“Rape is a crime that is not comparable to any other form of violent crime. Unlike other crimes against the person, rape not only violates a victim’s physical safety, but their sexual and psychological integrity. It is a violation that is not only marked by violence, but by a form of ‘sexual terrorism’. The act of rape is invasive, dehumanising, and humiliating” (p. 63).

The statistics mentioned above show that rape overwhelms women in South Africa. Rape permeates every part of a woman’s life and although we condemn it, it is still evident. There is something entrenched in the fabric of our society that has not been addressed properly.

b. Exposing sexual violence in schools

Next to the family, the most important institution in a young child’s life is the school. On average a child spends seven hours a day at school. The school is meant to be a safe

¹⁰ Law reform report refers to the process of examining existing laws, and advocating and implementing changes in a legal system, usually with the aim of enhancing justice or efficiency.

space for all, but the reality is that many South African girls encounter sexual violence and harassment at schools on a daily basis. A study conducted by Community Information, Education and Transparency Africa, found that one in every three Johannesburg schoolgirls had experienced sexual violence at school. Of these, only 36% of the girls said they had reported the episode to someone (CIET Africa, 2000)¹¹.

Even though the claims that gender-based violence is rife in South African schools, there are no national studies that have calculated the precise extent of the problem. Statistics on sexual violence against children are vague, yet there are indications that shed light on the problem. One such example is Childline¹² that notes a 400% increase in the number of reported cases of child sexual abuse over the past ten years (Van Niekerk, 2002). Adding to this grim figure, the Crime Information Analysis Centre of the South African Police Service stated that the three most common crimes committed against children were rape, attempted rape and assault with the intent to do grievous harm (SAPS, 2002).

Human Rights Watch (2001) reports that girls are being attacked in school toilets, in empty classrooms and hallways, in hostel rooms and on the playground. These findings suggest that the girls interviewed by the Human Rights Watch (2001) feel at risk to be attacked practically in any place on the school grounds and at any time.

Some of these girls interviewed by the Human Rights Watch described being persistently harassed by boys in their schools. The harassment ranges from being touched inappropriately to actual rape, and many of these cases are reported to take place in plain sight of the teacher.

From a personal view, I can support the claims made by these girls. Being the deputy principal at a local school, I am responsible for most of the discipline procedures of our school. To mention only one of the many cases that I had to deal with:

¹¹ Cf. Also the increase of sexual harassment reports made by female students that indicate that gender equality is not practiced in schools. For example, it recently has been reported that more than 30% of girls are raped at school (SACE, 2011, p.7)

¹² Childline is a non-profit organisation that runs a helpline for children and provides therapeutic services and advice to child victims of abuse and their families.

On one occasion, a teacher was assisting a 12-year old boy with extra mathematics. He suggested to the teacher that he will do all his work, if she will show his breasts to her. The teacher explained why this is not appropriate and left the class to make a few copies, at which time the boy started masturbating in class, in front of a class mate. When this matter was discussed with the boy's father, he casually noted that he has done the same to one of his cousins.

In an article in the *The Daily Sun*, we can see just how widespread the problem of sexual violence is in schools with even very young children being targeted. On Thursday, 20 August 2015, an article titled "Grade 2 boys gang rape girl (8)" reported that Grade 2 students watched how a girl was gang raped by boys aged seven to ten at a Primary School in Vosloorus. The teacher left the classroom, a ten-year-old boy ordered the girl to lie down and then six of them raped her. The boys forced her to open her legs by stabbing her with pens and pencils (*The Daily Sun*, 20 August 2015).

c. Rape ideologies

In 1975 Susan Brownmiller highlighted the importance of rape ideologies and their role in mediating the sexual exploitation of women. Brownmiller writes:

"Do women want to be raped? Do we crave humiliation, degradation and violation to our bodily integrity? Do we psychologically need to be taken, ravished and ravaged? Must a feminist deal with this preposterous question? The sad answer is yes, it must be dealt with, because the popular culture that we inhabit, absorb and even contribute to has so decreed. Actually, as we examine it, the cultural messages often conflict. Sometimes the idea is floated that all women want to be raped and sometimes we hear that there is no such thing as rape at all, that the cry of rape is merely the cry of female vengeance in postcoital spite. Either way the woman is at fault" (Brownmiller, 1975, pp. 147-148).

Today we still have to answer the same question and we still deal with the same problem. We still have to answer the same preposterous question. Forty years later and the rape victims are revictimized in court or when making a charge faced with attitudes such as: Women are looking to be raped. Women are raped because they dressed in a provocative way. In order for us to prevent rape, we must learn to challenge what the society believes about rape and question the value structure that condone sexual violence. The fact that society is silent about rape denotes the acceptance of rape.

d. Causes of Rape

i. Patriarchy and Rape

The word patriarchy derives from the Greek words —patēr and archē (William 1994, p.209), and literally means the rule of the father in a male dominated family. Patriarchy refers to a system in which women experience prejudice, subordination, hostility, exploitation and domination by men (Bhasin, 1993, p. 3).

The idea of patriarchy has been used by feminists to examine the domination of women and has been developed within feminist writings. Feminists have researched history to prove that women have been, and are still today living in a misogynist and androcentric world. Gerda Lerner, in her seminal work on patriarchy, explains that nowhere in history is evidence of an overthrow of power from female to male. She continues by adding that patriarchy was not a specific event, but developed over nearly 2500 years at different times and in different places (Lerner, 1986, p.54). This development of patriarchal concepts was then ingrained into all mental constructs of society, but remained invincible over the years. These patriarchal concepts portray men as powerful beings and women as deviant, incomplete and emotionally dependent (Lerner, 1993, p. 3). As Debra Bergoffen, an American feminist philosopher writes:

“Within patriarchy, the sexual dissymmetry of the human body is marked as crucial. Thus the question of trust is translated into the question of the sexual relationship. It then gets perverted. Instead of recognizing a mutual vulnerability between men and women that throws them both before each other in the passion and heteronomy of a trust that can neither be determined nor measured, it establishes the law of patriarchal dissymmetry. [...] The sexual difference, instead of revealing our shared human vulnerability; instead of throwing us all before each other in our embodied finitude; instead of opening us to the passions, uncertainties, and necessities of trust; becomes the structure through which only one sex lives the humanity of vulnerability” (Bergoffen, 2003, p. 131).

Patriarchy not only determines a woman’s position in this society, but also explains women’s experience of social power. Patriarchy recognizes the power that women can have and the actual power of men. The purpose of patriarchy is therefore to destroy a woman’s consciousness about her potential power. Lerner argues that it is for this reason,

that it is believed that men were designed by God to be dominant. Men will therefore regulate the world and have control over women's body and her reproductive functions, because they are more rational. It is the function of women to sustain everyday life and they are also responsible for the continuation of the human race (Lerner, 1993, p. 4). The right of a man to control and own the woman's body is therefore a cornerstone of patriarchy. Violence and even the threat of violence against women represent the need of patriarchy to deny that a woman's body belongs to her. A woman is rapable and therefore she must be careful. Violence and fear are there to terrorize women and to ensure they are "kept in their place."

Also Rosemary Radford Reuther argues that patriarchy is established where society is ruled by fathers and where it reinforces the subordination of women, and also where feeble and marginalised groups are held inferior to the affluent and influential (Reuther, 1983, p. 61).

And Carole Sheffield suggests that the right of men to control the female body is an essential part of patriarchy. Patriarchy is the ideological¹³ foundation of sexism in our society. Patriarchy encourages the superiority of males and the inferiority of females. She writes:

"Violence and the threat of violence against females represent the need of patriarchy to deny that a woman's body is her own property and that no one should have access to it without her consent. Violence and its corollary, fear, serve to terrorize females and to maintain the patriarchal definition of woman's place" (Sheffield, 2007, p. 111).

Like several other feminists, I believe that the cause of sexual violence can be found in the construction of dominant masculinities found in all patriarchal social systems. The Feminist theory of rape considers rape to be the result of long and deep-rooted social traditions in which men have dominated nearly all important political and economic activities. Also explained by Lee Ellis:

"According to the most versions of the feminist theory, one result of male domination over women is that women are excluded from political decision-

¹³ An ideology is an integrated set of beliefs about the world that explains the way things are and provides a vision of how they ought to be.

making processes which affect them, including those matters dealing with rape and its control. With women excluded from positions of political and economic power, the feminist theory of rape maintains that women are considered unequal participants in interpersonal interactions” (Ellis, 1989, p. 10).

People are hesitant to admit that patriarchy is a cause of sexual violence, because Patriarchy is a human invention. This concept is explained by Sarah Gorham in *Gender Violence*:

“This argument has important implications; if patriarchy is a social construction, then the violence that results from it becomes more problematic and less easy to dismiss as “human nature” (Gorham, 2007, p. 3).

In a system that emphasizes male dominance, there is no area in which this is more evident than in the sexual arena. In a society that equates masculinity with male sexuality, there arises a major problem. This problem stems from the assumptions that exercising your sexuality makes you a man. The problem is then that some men think that they are owed sex because he is a man and this directly contributes to the problem of sexual violence. Furthermore, Pumla Gqola adds that “patriarchy trains us all to be receptive to the conditions that produce-and reproduce-female fear, especially when it is not our own bodies on the assembly line (Gqola, 2015, p.80).

Karen Warren, in *A Feminist Philosophical Perspective on Ecofeminist Spiritualities* argues that a patriarchal society is a dysfunctional system that is based on power and violence: “Dysfunctional systems are often maintained through systematic denial, a failure or inability to see the reality of a situation. This denial need not be conscious, intentional, or malicious; it only needs to be pervasive to be effective” (Warren, 1993, p. 125). This view of Warren could explain why our culture has such an apathetic view of rape thinking rape as just a distasteful fact about society.

The church also serves as an instrument of patriarchy. South Africa has an extremely high incidence of rape, but at the same time, a very high percentage of the South African population claims to be Christian (Punt, 2005, p. 361). This view is supported by Isabel Phiri, who writes about four beliefs, identified by Heggens that may be influential in gender-based violence. These beliefs teach that God intends that men must dominate over women and that it is the godly role of women to submit, that suffering is Christian virtue and

women have been designated to be suffering servants, that women are morally inferior to men and that Christians must quickly forgive and reconcile with those who sinned against them (Phiri, 2000, pp.107-108). Phiri continues to show how the Bible is used to implement these beliefs (Phiri, 2000, p.108).

ii. Masculinity and Rape

If we are serious about decreasing our rape statistics, we must move men, starting with young boys, away from a definition of masculinity that encourages toughness, power, dominance and aggression. As long as these attitudes exist in men, rape will continue to be viewed by men as proof that they are masculine. Numerous authors have argued that the relationship between poverty and violence is mediated through ideas of masculine identity and the quest for masculine success (Moore 1994, Wood & Jewkes 2001, Omorodion & Olusanya 1998). In this regard, Connell writes:

“There is a widespread belief that it is ‘natural’ for men to be violent. Males are inherently more aggressive than women, the argument goes. ‘Boys will be boys’ and cannot be trained otherwise; rape and combat – however regrettable – are part of the unchanging order of nature. There is often an appeal to biology, with testosterone in particular, the so-called ‘male hormone’, as a catch-all explanation for men’s aggression” (Connell, 2000, p.22).

Adding to this belief, Chitando states that most writings on masculinities make reference to men’s high rating of having sexual intercourse as a key part to what it means to be a man (Chitando, 2012, p.14). Chitando continues by stating that a pattern emerges that shows that men have been socialised from an early age to regard themselves as having a sexuality that drives them to have multiple sexual partners and this sometimes drives them to abuse and rape women (Chitando, 2012, p. 16).

Rachel Jewkes proposes that in South Africa, sex is constructed as a need for both men and women. There is a commonly held social belief that a man who wants sex with a woman should be able to convince her to agree, and he may use a range of strategies, including deception and moderate physical force. It is because of this social belief that rape is often warranted by invoking beliefs that men cannot control their sexual urges (Jewkes, 2008, p. 13).

Rape is enabled by a deeply ingrained, poisonous masculinity. It is a masculinity that defines itself not only in opposition to womanliness, but as naturally superior, drawing its strength from dominance over women's inferiority, and creating men who are happy to deliberately undermine women's power; it is only in opposition to female vulnerability that it can be strong.

Myriam Miedzian describes how rape is encouraged in boys:

"When dominance and power define masculinity, men rape as a way of putting "uppity" women in their place. Many men feel deeply threatened by the achievements of the women's movement. Some react to the greater freedom, independence, and power of women with rage and violence, including rape, battering and killing. Masculinity must be redefined to include caring, nurturance, and empathy along with such traditionally masculine attributes as courage, strength, initiative, and adventurousness" (Miedzian, 2005, p. 16).

Michael Kimmel argues that masculinity is the experience of power, but rather the experience of entitlement to power. Therefore, violence could be more about getting the power to which you feel entitled to than an expression of the power you already think you have. This then is the reason why men become violent.

"I think we men can do better than this. Part of transforming a rape culture means transforming masculinity, encouraging and enabling men to make other choices about what we do with our bodies, insisting that men utilize their own agency to make sorts of choices. To ignore men, to believe that women alone will transform a rape culture, freezes men in a posture of defensiveness, defiance and immobility." (Kimmel, 2005, p. 156).

In South Africa gangs have become a framework in which an exaggerated form of masculinity is constructed that is predicated on vivid displays of power and hostility, mostly against women, but also against other men. These gangs have developed as a sub-culture for men who have grown up in extreme poverty with low educational achievement and consequently have limited access to more traditional avenues through which to experience success as men.¹⁴

¹⁴ Department of Sociology/Anthropology, University of the Western Cape; Simpson G (1992) Jackasses and Jackrollers: Rediscovering gender in understanding violence. Occasional paper written for the Centre for the Study of Violence and Reconciliation.

In South Africa there is a specific type of gang that is terrorizing young women. I am referring to “jackrolling”. The word “jackroll” was originally used to refer to the abduction of women in black townships by a gang called the “Jackrollers”. This gang was active in 1988 in Soweto, just outside Gauteng. The original Jackroller gang had ten members, and the leader was a man named Jeff Brown. Jeff Brown quickly earned the status of the most feared man in Soweto. The gang was infamous for rape and abduction. As the abduction of women happened more often, anyone who did it could be called a jackroller, and “jackroll” became a frequently used word in the township vocabulary. The emergence of jackrolling went hand in hand with the increase in township based youth violence and a dramatic rise in youth unemployment. Within the Jackroller gang masculinity and aggression were closely linked, which allowed the gang members to characterize their personal power in terms of their capacity to effect women’s will, often without the consent of those involved (Vogelman, 1990, p. 121).

There are a few significant aspects that make jackrolling different from other forms of rape. Firstly, it is primarily a youth phenomenon. Although rape is committed by males of all ages, jackrolling is committed by people who are still fairly young. Members are as young as thirteen years. Secondly, it is almost always committed in the open, and the rapists do not try to hide their identity. As a matter of fact, it seems as if the members purposefully try and rape a girl where people can see them, in order to earn more respect. Most incidents of jackroll are committed in places like shebeens, picnic spots, schools, nightclubs and in the streets. The aim of this activity is not so much to satisfy sexual gratification but more to affirm the shared masculinity of the members.

Instead of moving away from the dangerous concept of masculinity, our society has encouraged the acceleration of the idea that to be masculine one must be violent.

As a woman it is still difficult for me to understand why men have to conform to the standard of masculinity. I realized that if a man does not conform to these ideals of masculinity, one will be perceived as “less of a man” and this places one in the position of being equal to the subordinate female, and that is not a desirable position to be in.

e. Addressing a Rape Culture in South Africa

The reasons for rape are deeply ingrained in our social structure. Thus far I have explored some of the motivations which lead men to rape, which include the need to overpower and dominate. I have also showed that some of the historical attitudes, such as patriarchy contribute to the high rape rate of South Africa.

A rape culture refers to intricate set of beliefs that encourages male sexual hostility and supports violence against women. A rape culture is characterised by a high frequency of rape and also other forms of gender-based violence. In their book, *Transforming a Rape Culture*, Buchwald, Fletcher & Roth (eds., 1993 & 2004) assert that a rape culture is a society that blatantly produces, encourages, condones and reproduces acts of sexual violence by men towards women in a multitude of ways.

Susan Brownmiller identifies a violent culture as a factor in determining community rape rates. According to Brownmiller, it is men who have been marginalised and alienated from the dominant political and cultural system who frequently become rapists:

... within the dominant system of our culture there exists a subculture of those from the lower classes, the poor, the disenfranchised, the black, whose values run counter to those of the dominant culture, the people in charge. The dominant culture can operate within the laws of civility because it has little need to resort to violence to get what it wants. The sub-culture thwarted, inarticulate and angry is quick to resort to violence and physical aggression becomes a common way of life. Particularly for young males? (Brownmiller, 1975, p.196)

Rachel Jewkes (2012, p. 23) explains that there are basically only two causes of sexual violence: the existence of male dominance and a culture of violence. There are also other factors that contribute to sexual violence, such as alcohol or drugs, but she argues that if those two factors did not exist, sexual violence would not exist either. Many people have argued that rape is a sexual issue, but scholars like Elizabet le Roux (2011, p. 4) and Louise du Toit (2005, p. 253) describe rape as a pure act of power. Du Toit also suggests that rape should be regarded as political problem, related to gender oppression and clear masculine objectives. She makes clear the link between rape and citizenship. She argues that rape ought to be discussed as a citizenship issue, because of its political and public nature, in opposition to those in society who persist in trivializing rape on the assumption

that it is personal and private. We do not have to choose between describing it as sexual or power abuse, because rape is the violent abuse of power in a sexual way. In her writing she discusses rape as torture. She continues to discuss the false motive for rape. It is not to sexually please the man, but rather the need for a spectacle of power. She compares the act of rape to a theatrical performance, with the woman's body providing the stage and props, as well as the possible antagonist (2005, p.265).

A man's desire to dominate, which is sometimes expressed through rape, is not an instinctual one. Controlling behaviour is learnt from a young age, through the familial and societal modes of relating, the media, institutions and activities and society's glorification of tough and dominant masculinity and submissive femininity. Males have been taught to define their power in terms of their ability to affect their will. This often manifests itself in the attitudes of young males towards sex and sexuality.

In a rape culture, penalty of perpetrators is dutiful (Williams 2007, p.3783). Survivors of rape often have to fight to prove their innocence, instead of proving the rapist's guilt. Moreover, a rape culture is described as a culture of fear for women. Albeit that not all women are raped in a rape culture, girls in a rape culture grow up knowing that they may experience some form of gender violence in their lifetime.

7. FEMINIST BIBLICAL INTERPRETATION

In the 1970s, Christian feminism started as a movement that has had a vital impact on men and women. Christian feminists challenged Scripture and the biblical interpretation with regards to women's roles in the Church and society (Pierce and Groothuis 2004, p.17).

For instance in Phyllis Trible's influential work *Texts of Terror*, the silence of violence against women is broken and the truth revealed: that the Bible is not a safe space for women. Feminists also argue that there exists an intersection between biblical violence and violence against women in the society we live in today (Bowen, 2006, p 186). Moreover Phyllis Trible adds that the stories of women in Judges echo terror. She compares hearing and telling the narratives of Judges to wrestling demons in the night without a compassionate God to provide a way out. Like many other Feminist interpreters, Trible affirms that the book of Judges portray a picture where women are victims of male abuse,

violence and oppression (1984, p. 4). Thus, in *Texts of Terror*, Tribble aims at telling what she calls “sad stories” of Scripture, those Biblical narratives of terror generated against women.

One can broadly define Feminist Biblical Interpretation as the attempt to give a voice to women and correct the male-orientated perspective that has dominated many communities (Neuman, 2000, p.82). They do this in the following way:

First, Feminist Biblical interpretation starts by introducing a hermeneutic of suspicion that enables readers to become aware of patriarchal constructions and to read with suspicion the Biblical texts (Segovia, 2003, p. 250). A hermeneutics of suspicion takes as a starting point the assumption that biblical texts are androcentric and serve patriarchal functions. In addition a hermeneutics of suspicion questions the core presuppositions and unarticulated interests of contemporary biblical interpretation (Schüssler-Fiorenza, 1984, p. 17). Elizabeth Schüssler-Fiorenza argues that women ought to recover the liberating nature of Christianity and therefore she proposes four criteria for the reading of Scripture namely:

“A hermeneutics of suspicion – Scripture’s patriarchal authors should be analysed with critical response thereto a hermeneutics of remembrance – to reconstruct women’s history in Scripture that was concealed by male historical consciousness, a hermeneutics of proclamation – to assess and to evaluate Scripture theologically in order to point out its oppressive effect on women, and a hermeneutics of actualization to recall, to embody and to celebrate women in the Bible’s achievements, suffering and struggles (Schüssler-Fiorenza 2001:174-190).

The starting point for feminist criticism is the recognition that women have been marginalised by men and denied access to positions of authority. Feminist criticism thus seeks to expose the methods by which men have justified their control over women. Cheryl Exum writes that

“Although it is only one stage in the process by which men have established hegemony over women, the biblical period represents an important stage, for perhaps no other document has been so instrumental as the Bible in shaping Western Culture and in influencing ideas about the place of women and about the relationship of the sexes. Indeed, because its influence has been so extensive and because it continues to play an important role for many people, women and men, the Bible needs to be approached from a critical feminist perspective.” (Exum, 2007, p. 66)

In this regard it is important to take into account that the Bible has been written for men, and by men, and that the Bible is not principally interested in women and their experiences. It is therefore the male worldview that is the dominant worldview of the time. In addition to this, it is also the case that in the history of Biblical interpretation, men have set the agenda for interpreting the Bible (Exum, 2007, p. 67). When we take all these points into consideration, it is easy to see why women's experience is such an important starting point for Feminist Biblical criticism. As Exum says it well:

"If the Bible presents us with men's views of women- what men thought women were like, or what they wished them to be-the feminist critic must ask how, if at all, a woman's perspective can be discovered in, or read into, this androcentric literature. As long as we remain within the androcentric ideology of the Biblical text- that is, as long as we accept the male-centred world-view that is inscribed in the biblical literature- we can do no more than describe ancient men's view of women. Many feminist critics thus find it necessary to step outside the ideology of the Biblical texts and raise questions not simply about the text says about women but also about what it does not say- questions about its underlying assumptions about gender roles, about its motivation for portraying women in a particular way, about what it conceals and unintentionally reveals about the fact of women's suppression." (Exum, 2007, p. 67)

Moreover, in her article "The Hand that rocks the Cradle," Cheryl Exum (2003, p130) argues that, even though men and women share in the making of history, symbolic production has been controlled by men. Furthermore, she argues that even if the Bible's authors are not all males, the dominant male worldview is one that finds expression in the Biblical literature. Feminism is the crucial contemplation and consideration of practices, traditions, language and social roles and how these affect women in relation to men (Scholtz, 2010, p. 10).

Second, Feminist biblical interpretation engages in a critical gender analysis of the biblical texts they choose to study. For instance, with regard to the narratives in Judges, some feminist scholars characterise the violence against women as part of social and moral decay in Israel. They argue that the narratives in Judges pertain to the fear of women and their sexuality, which are intended at delimiting and controlling the behaviour of women (Yee, 1995, p. 87). They propose that it is the fear of women's sexuality that leads to violence against women as a means of control. Thus, even though the book of Judges portrays women positively, and puts them in positions of great power and influence, feminist

scholars argue that this positive portrayal is a tactic to serve male interests in a patriarchal society (Yee, 1995, p. 79).

Third, Feminist interpretation intends to take the hints that are found in Scripture, to reconstruct a view of Christian history in which women are seen to have a place in society. In her book *In Memory of Her* (1995), Elisabeth Schüssler-Fiorenza develops a hermeneutic of reconstruction. Schüssler-Fiorenza makes it very apparent that the point of departure is not the Bible as a normative authority; she argues instead, that the experience of women and their struggle for liberation becomes the focus of authority. Schüssler-Fiorenza (1983, p. 6) argues that feminist interpretation is a kind of liberation theology and she adds to this argument by saying, “all theology, willingly or not, is by definition always engaged for or against the oppressed”. Furthermore, Schüssler-Fiorenza states that the subordination of women was not part of original scripture but instead the result of the church’s eventual compromise with Graeco-Roman society. This also relates to not only reading from the viewpoint of the often ignored female voices in certain narratives, but also revisionist attempts to regain lost voices of female characters in certain narratives within scriptures.

Fourth, a central goal of Feminist Biblical Interpretation is to see how a text cannot only prove liberating for women but also promote the humanity of women and men. Serene Jones, in her book *Feminist Theory and Christian Theology*, explains that Feminist Interpreters concern is not only for the liberation of women, but for all people who are broken and oppressed (Jones, 2000, p. 6).

Fifth, Feminist criticism takes many forms and for the most part it tends to be interdisciplinary in nature. Katharine Doob Sakenfeld explains that feminism can be viewed as a contemporary prophetic movement that declares judgement on the patriarchy of contemporary culture and therefore calls for change and repentance (1985, p. 55). This is then the reason why many feminist biblical scholars have drawn on anthropology, sociology and literary criticism for their methodological point of departure. Feminist scholars specify with confidence that the biblical text as a whole encodes male-male power relations, where women’s voices are usually silent. However, even if Feminist interpreters use a multiplicity of methodologies in their studies, what are central to all of their approaches are the lives of women (Scholtz, 2010, p.11). It is evident that the various Feminist approaches share one universal objective, i.e. the liberation of women everywhere.

In conclusion, the feminist biblical interpretative enterprise is described well in terms of the words of Gerda Lerner who argues that even amidst the oppressive weight of millennia of patriarchal thought, which denied women authority and even humanity, women continued to find ways in challenging the patriarchal system in which they found themselves: “ Generation after generation, in the face of recurrent discontinuities, women thought their way around and out under patriarchal thought” (Lerner, 1993, p. 166).

8. CONCLUSION

In this chapter, it was shown that rape is a socially and culturally produced problem that has reached the status of an epidemic in South Africa. Furthermore, studies regarding the frequency of rape in South Africa were used to emphasise the fact that we live in a rape culture, and that this rape culture is manifesting itself to an alarming extent in South African Schools. Different possible causes of rape, such as patriarchy and masculinity were discussed, drawing also on the work of Feminist Biblical Interpreters who have written on this topic. It was shown in this chapter that we indeed need a revolutionary way of thinking about Rape which will not continue to dismiss the seriousness of the issue or disregard rape as a woman’s problem.

In the following chapter, I will outline recent theories that understand rape in terms of torture. As I will show in this chapter, it is very important to redefine our understanding of rape as it not only helps us gain a new understanding of the nature and effects of rape but also may serve as a conscientizing tool in helping people realizing the seriousness of this crime against women in particular.

Chapter 2

Redefining Rape

“Man’s discovery that his genitalia could serve as a weapon to generate fear must rank as one of the most important discoveries of prehistoric times, along with the use of fire and the first crude stone axe. From prehistoric times to present, I believe, rape has played a critical function. It is nothing more or less than a conscious process of intimidation by which all men keep all women in a state of fear.” (Brownmiller, 1975, p. 15)

1. INTRODUCTION

We live in a society in which we experience the continual and relentless violence against women. And it is not just the act of being violated that is the problem. Many women after being raped claim that the experience of suspicion and distrust of the criminal justice system is just as terrifying as the actual rape, and some even refer to this process as a “second rape”. Women who have been sexually assaulted often find that both she and the rapist are being judged. This phenomenon can be ascribed to a long tradition of rape myths that have permeated the legal system as well as society.

In this chapter, I will do three things. First, I will identify some of the rape myths that to a great extent shaped people’s perceptions regarding the nature of rape. Second, I will introduce some alternative theories of rape that seeks to break through some of these rape myths, but to some extent still fall short in capturing the tragic impact of rape. And finally, I will introduce the notion of Rape as Torture that has been popularized by scholars like Catherine MacKinnon and in our South African context, Louise du Toit. I propose that it is important for truly understanding rape that one ought to see rape as having the same devastating effects on a person as torture; I propose that we must include the vocabulary of torture in our everyday discussion about rape. I argue that a redefinition of rape as torture will make it possible to resist all efforts to mislead people in believing that the crimes committed against women are insignificant, petty and irrelevant.

2. RAPE MYTHS

The term “rape myths” was first defined by Martha Burt¹⁵ in 1980 as “prejudicial, stereotyped or false beliefs about rape, rape victims, and rapists” (Lonsway & Fitzgerald, 1984, p. 133). Rape myths are basically beliefs that women are somehow responsible for their victimization. Brinson (1992, p. 16) says the following about rape myths: “Rape myths allow our culture to rationalize the prevalence of rape by offering explanations for its occurrence.”

By analysing rape myths held by our society, it becomes clear that these myths reinforce women’s powerlessness which serves to show why it is important to redefine rape as torture. These rape myths function as a tool to keep women in a subordinate position. Instead of holding the rapist responsible for the rape, people tend to blame the woman. Also in court, defence lawyers’ use these rape myths to undermine the testimony of the survivor. To a certain degree, the victim becomes the accused. Myths of rape can also give people a false sense of security by denying that rape occurs. Thus, dismantling rape myths is crucial to the work of ending rape.

Rape myths vary from community to community. Some of the most blatant rape myths are as follow:

a. Some rapes are worse than others

There is a widespread belief in many communities that rape by a stranger in a dark street is worse than rape where the perpetrator is known to the victim. Recently Richard Dawkins (Singh, July, 2014) commented¹⁶ on the severity of rape. First, he said the unthinkable by suggesting that not all rape is equally horrific: “Date rape is bad. Stranger rape at knifepoint is worse.” Then he also added: “If you think that’s an endorsement of date rape, go away and learn how to think.”

¹⁵ Martha Burt’s Rape Myth Acceptance Scale (RMAS) (1980) was used to gain insight into rape myths, which are theorized causes of rape.

¹⁶ Read in *The Telegraphy*. <http://www.telegraph.co.uk/news/uknews/>

Dawkins' argument is rooted in general assumption that when a malicious man is holding up a woman with a weapon in back street, it can be considered to be real rape, whereas when someone take you on a date and pays for dinner, then demands sex and will not take no for an answer, is just a bit uncomfortable. A redefinition of rape maintains that it is crucial to understand that any type of forced sex must qualify as rape.

b. Rape is committed by strangers

This myth is based on society's need to distance themselves from rapists. By calling all rapists strangers, society can put them in the "other" category, the same category in which we put psychopaths and serial killers. This is more acceptable than the uncomfortable truth that most sexual predators attack people they know. This particular rape myth suggests that if a woman knew her perpetrator, then it probably cannot be considered rape, but rather consensual sex. This myth also adds to the belief that acquaintance rape is not as traumatic as other rape. In other words, the only true rapist is a stranger, who employs physical violence (McHugh, 2013. p. 359).

c. Women lie about being raped

The myth about the occurrence of false allegations is not based on facts. Although some women do lie about rape, and the consequence for that specific man's reputation is indeed dire, the fear of being called a liar prevents many women from pressing charges. As Colleen Ward describes it: "The beliefs that 'real' rape is easily avoided and that women fabricate stories of sexual assault are intertwined with the fallacious assumption that rape is merely sex" (Ward, 1995, p. 26). The result of this myth is that people often do not believe a woman who states that she was raped. This myth relieves men of the blame of rape. It is a myth which very faintly makes it appear as if "true" rape is the exception to the rule. That is also why so few rapes are actually reported to the police. Rachel Jewkes (2006, p.2950), head of the Medical Research Council's Gender and Health Research Unit, argues that rape statistics are twofold – those reported to police and those not reported. Every hour, there are six rape cases that are *not* reported to police.

d) “No” means “Yes”

To be found guilty of rape, a man must have believed that his victim was not consenting. If he honestly believed that she was consenting to sex, then he lacked the vital *mens rea*¹⁷ to rape. In this regard, Bourke (2007, p. 67) argues that “the driving force behind this myth is the belief that women generally want it and the more passionate the man, the better” (Bourke, 2007, p. 67). It is also believed that many women require aggressive overtures by the man as part of the sexual act. Susan Estrich also elaborates about this myth in her book *Real Rape*. She states:

“In advocating this change of understanding, I recognize that the law did not invent the “no means yes” philosophy that it has enforced for so long. Women as well as men have viewed male aggressiveness as desirable and forced sex as an expression of love. Women as well as men have been taught and come to believe that if a woman encourages a man, he is entitled to sexual satisfaction.” (Estrich, 1987, p. 100)

Estrich argues that consent should be defined in such a way that “no” means no”. The force that negates consent should be defined to comprise extortionate threats and misrepresentations of material fact.

e) Rape is about sexual desire

Rapists do not rape because they have an uncontrollable sexual desire. Men rape because they want to control their victim. If this myth is true, then people cannot blame men for raping women, because it is in their nature. This myth is intended to create empathy for the rapist. Sex without consent does not exist. When people use such euphemisms, they minimize and underestimate the damage that is done to the rape victim. It is because rape is often seen as sex that some people are hesitant to deem it a serious crime. Like a torturer, the rapist is motivated by an urge to dominate the victim. Like a torturer, he does so by using the most intimate acts available to humans. To understand rape as torture, it is

¹⁷ Most crimes require what attorneys refer to as “*mens rea*”, which is Latin for guilty mind. In other words, what a defendant was thinking and what the defendant intended when the crime was committed matters. *Mens Rea* allows the criminal justice system to differentiate between someone who intentionally set out to commit a crime and someone who did not mean to commit the crime.

required to contest the belief that the rapist is always prompted by personal reasons of sexual desire and sexual gratification.

f) Women put themselves at risk

One of the oldest rape myths is that women invite sexual assault, or make themselves more vulnerable by dressing or acting in a certain manner. When the truth of rape can no longer be denied, patriarchal entities point the blame to women.

The popular attitude is that the woman got what she deserved and that she did something to provoke rape by her appearance or behaviour. These attitudes are evident in police investigations of sexual crimes. Often the victim has to answer questions such as: “Do you always wear such short skirts?” or “Why were you out so late?” Obviously girls and women have a responsibility to be careful and safe, but boys and men have to know that the way a woman dresses or her use of alcohol does not entitle them to rape her. The myth of a woman getting raped because of her appearance is usually used in combination with the reckoning that men have uncontrollable sexual urges, to which they must succumb. When translated into criminal jargon, this myth defines sexual assault as a victim-precipitated crime (Schwendinger and Schwendinger, 1974, p18). It is argued that if a woman dresses provocatively or behave in such a manner, then she cannot expect a man to exercise control over his sexual urges. This type of argument is designed to keep women in their place. The responsibility is placed on women to prevent being raped.

In addition to this myth, one can also add that if a woman goes out alone at night, she is asking to get raped. This myth suggests that a woman belongs at home. This takes away a woman’s freedom to decide when and where she wishes to be. It places women in a setting chosen by men for women. This argument assumes that a home is a safe place for women, when in actual fact it is the place where many rapes occur.

These rape myths are also evident in the young minds of the students that I teach. Date rape is not seen as rape, but rather a “snuggle with a struggle”. In my students’ minds, marital rape does not exist, because once you are married, you have the right to sex, whenever the desire arises. Women can definitely ask to be raped, and if you have had sex before, rape is highly unlikely. The only true form of rape is a violent incident, and in most cases they believe that the rapist is a black man.

Rape myths, such as identified above, are used to justify rape. The following process occurs quite often during rape: the woman is called derogatory names that dehumanise her, so that the rapist can do with her as he pleases. The torture, expressions of suffering and agony therefore confirm that the victim was despicable and deserved what was inflicted on her. Green states:

“It is not unusual to find that in the countries with the highest incidence of rape, the law operates under a number of myths that taken together can be understood as a rape ideology. The ideology is based on essentialist stereotypes about rape, the rapist, and the victim. As such it promotes and perpetuates hierarchical gender relations. The institutionalized bias of the law is revealed by the fact that the determination of an assault of rape commonly hinges on the victim’s prior status. Like the bad wife who deserves her beating, the unmarried, sexually-active woman is not only regarded as a liar but as fair game for rape.” (Green, 1999, p. 123)

Underlying these rape myths about the victims of sexual violence is the belief that the victim causes and is also responsible for her rape. Underlying the attitudes about the rapist is the belief that he could not help himself, that he was in fact ruled by his biology. Thus, the victim becomes the offender and the offender becomes the victim. These rape myths strengthen the belief that rape is nothing more than sex. Rape myths can be seen as excuses for rape. When we make excuses for rape, we offer cover for violent men to continue violating others. These excuses make violence against women possible, and are part of the system that agrees women are not human, so the pain of a woman is generalised and unimportant.

I suggest that in order for society to dismantle these rape myths and to fight the pandemic of sexual violence, a new definition of rape is needed. We are helped in this regard by recent feminist theories of rape that have done so much to dismantle the many rape myths we have seen thus far.

3. FEMINIST THEORIES OF RAPE

Ever since the 1970's feminists have researched rape, questioning the causes of rape, the assumptions about rape and the origin and reasons for the pervasiveness of rape (Scholz, 1998, p. 160).

One of the most basic challenges that feminists have posed against the traditional view of rape, lies in the fact that rape is a crime against the rape victim. For the majority of recorded history women were the property of men, with their value measured by their sexual purity. In this context, rape was regarded as a property crime against a woman's husband or father (Burgess-Jackson 1996, pp. 44-49). A raped woman was worth less, and penalties for rape, was paid to her husband or father, whoever owed her (Burgess-Jackson 1996, p. 68). A further consequence of this view was that women who did not belong to any man, prostitutes for example, were deemed to be unrapable (Dworkin 1997, pp. 196–202, Burgess-Jackson 1996, pp. 46-47, 69). When we consider this ingrained history of rape, feminists' redefinition of 'rape' as a crime against the woman herself is ground-breaking.

Feminists are dedicated to ensuring that women's experiences of sexual violation are taken seriously as such and that the harm they suffer is recognized, and that those who inflict that harm are held accountable.

The first school of feminist thought with regards to rape developed in the second wave of United States feminism. This school of thought is best represented by Susan Brownmiller. In her seminal book *Against Our Will: Men, Women and Rape* (1975), Brownmiller argues that rape is not inspired by sexual stimuli, but by political motivations to dominate and possess. Other feminist theories maintain that rape is not purely an act of sexual aggression, but rather an act that carries out the desire to prove and preserve the aggressor's power and control. Brownmiller asserts that rape in most of its forms is for the most part political. Rape, according to Brownmiller is thus: "a deliberate, hostile, violent act of degradation and possession on the part of a would-be conqueror, designed to intimidate and inspire fear" (Brownmiller, 1975, p. 377). She continues to make the point that when a rapist rapes a woman, he does not rape an individual but an entire class. This theory views rape as rising from a social construction that place emphasis on group conflict. Because

men have created a patriarchal society in which men are the holders of wealth and power, they take part in behaviours that maintain this control. This power struggle is evident in the way by which the sexes are socialized. Women are taught to be submissive; men are instructed to be dominant. The second strand of feminist thought is best exemplified by Catherine MacKinnon, who argues that rape is in fact continuous with most heterosexual sex and cannot be distinguished from it by mere reference to coercion or violence. MacKinnon states that in the kind of civilization we live in, sexuality is "a social construct of male power: defined by men, forced on women, and constitutive of the meaning of gender. [...] Male and female are created through the erotization of dominance and submission. The man/woman difference and the dominance/ submission dynamic define each other" (MacKinnon, 1989, p. 113). Sexuality is permeated completely by gender inequality and male dominance of women. This is true not only of some, but of all sex: from regular intercourse to prostitution and pornography to sexual harassment and rape. MacKinnon rejects the argument that rape is not about sex but about violence, as she says it "fails to answer the rather obvious question, if it is violence not sex, why didn't he just hit her?" (MacKinnon, 1989, p. 134). The truth of the matter is that rape is essentially about both sex and power. Radical feminists maintain that all sex that is not motivated by the woman's legitimate sexual attraction to the man should be understood, and condemned, as rape. As MacKinnon argues the point:

"Many women are raped by men who know the meaning of their acts to their victims perfectly well and proceed anyway. But women are also violated every day by men who have no idea of the meaning of their acts to the women. To them it is sex. Therefore, to the law it is sex... [T]he law assumes that, because the rapist did not perceive that the woman did not want him, she was not violated. She had sex. Sex itself cannot be an injury. Women have sex every day. Sex makes a woman. Sex is what women are for (MacKinnon, 1989, pp. 180-181).

The latest scholarship includes some new approaches to the legal definition of rape. MacKinnon, for example, has suggested that a wider understanding of force should be supplemented not by a non-consent requirement, but by a standard of "welcomeness." A consent standard, she observes, incorporates gender hierarchy by assuming that men initiate sexual contact which women then either accept or refuse, whereas a welcomeness standard suggests the centrality of "choice, mutuality, and desire" (MacKinnon 2005, p. 243).

Like MacKinnon, Du Toit sees a fundamental problem in the notion of sexual consent as “it presupposes what it undermines, namely women’s full-blown sexual agency, which means that rape law contains a performative paradox or contradiction, which works to the detriment of women” (Du Toit, 2007, p. 59). Consent means nothing more than agreeing to previous established norms, that is, that the masculine social contract is accepted as the only possible proposal. Du Toit argues that the rape law should address the harms and injuries caused by rape and it must be able to address the ways in which rape is used by many men to terrorise women and to dominate them politically.

4. RAPE AS TORTURE

a) Defining Torture

Torture comes from the Latin word *torquere*, which means to twist. The Inter-American Convention to Prevent and Punish Torture provides a detailed definition of torture. Torture is described as acts that

“...intentionally performed whereby physical or mental pain or suffering is inflicted on a person for purposes of criminal investigation, as a means of intimidation, as personal punishment, as a preventive measure, as a penalty, or for any other purpose. Torture shall also be understood to be the use of methods upon a person intended to obliterate the personality of the victim or to diminish his physical or mental capacities, even if they do not cause physical pain or mental anguish.”¹⁸

Essentially there are four main elements regarding the definition of torture in the United Nations Convention Against Torture¹⁹ upon which international bodies seem to agree. Firstly it is described as an act inflicting severe mental or physical pain. Secondly torture is the intentional infliction of pain. Thirdly torture pertains to the pursuit of a specific purpose such as punishing or gaining information. Fourthly torture is related to the

¹⁸ Inter American Convention to Prevent and Punish Torture, Organization of American States (OAS) 9 December 1985, OAS Treaty Series, No. 67, Article 2

¹⁹ The United Nations Convention against torture is an international human rights treaty that aims to prevent torture and other acts of cruel, inhuman or degrading treatment or punishment around the world.

involvement of a public official, whether it is inflicted by or with the consent from someone acting in their official capacity.

It is important to note that whether it is in war or in times of peace, there is a clear and utter ban on torture in international law. The prohibition of torture is of the highest order, known as a peremptory norm.

Elaine Scarry (1985, p.54) describes torture, as the “making” and “unmaking” of worlds. Torture is used to make the world of the torturer and to “unmake” the world of the person being tortured. Elaine Scarry argues that severe physical pain can be world-destroying, it suspends civilisation. As she writes:

“Nowhere is the sadistic potential of a language built on agency so visible as in torture. While torture contains language, specific human words and sounds, it is itself a language, an objectification, an acting out. Real pain, agonizing pain, is inflicted on a person; but torture, which contains specific acts of inflicting pain, is also itself a demonstration and magnification of the felt-experience of pain. In the very processes it uses to produce pain within the body of the prisoner, it bestows visibility on the structure and enormity of what is usually private and incommunicable, contained within the boundaries of the sufferer’s body. It then goes on to deny, to falsify, the reality of the very thing it has itself objectified by a perceptual shift which converts the vision of suffering into the wholly illusory but to the torturers, and the regime they represent, wholly convincing spectacle of power. The physical pain is so contestably real that it seems to confer its quality of “incontestable reality” on that power that has brought it into being. It is, of course, precisely because the reality of that power is so highly contestable, the regime so unstable, that torture is being used (Scarry 1985, p. 27).

Scarry explains that when a prisoner is being tortured, the torturer makes one the body with the voice: “The goal of the torturer is to make one, the body, emphatically and crushingly present by destroying it. It is in part this combination that makes torture, like any experience of great physical pain, mimetic of death; for in death the body is emphatically present while that more elusive part represented by the voice is so alarmingly absent that heaven are created to explain its whereabouts” (Scarry, 1985, p. 49).

The same can be said is true in rape, it is the voice of the rapist that shapes and guides the process of the rape. It is the rapist who gives the commands and instructions. In contrast to this, the victim’s voice loses its power. During rape, the victim increasingly becomes only a body, an object which is rapable and voiceless. There is a split between

the body and voice, and this is enacted in the split between the sexes. The woman represents the body with no voice, while the man represents only voice and no body. The silence of the women lingers after the physical rape is completed. It extends to the police station where the case is reported, and the police treat it like a petty crime. It extends to people who imply that the victim was looking for it. And it extends to the courtroom where the victim becomes the perpetrator.

Scarry recognizes three simultaneous phenomena in the structure of torture, which is the infliction of pain, the objectification of the subjective attributes of pain and the translation of the objectified attributes of pain into the insignia of power. Scarry explains that although the infliction of great pain is the most heinous part of the process, it alone would never accomplish the goal of the torturer. One aspect of great physical pain is that it is to the individual experiencing it overwhelmingly present, more real than any other human experience, and the same time it is invisible to anyone else. The first attribute to pain is its sheer aversiveness.

In her book *Confronting Evils*, Claudia Card furthermore shares the testimonies of three torture victims, named Améry, Alleg and Ortiz. With regard to the pain of torture, these victims wrote that whoever is overcome by pain through torture, experiences their bodies as never before. The body is frail; capable of no resistance and that the tortured body is only a body and nothing else. With regard to psychological harm, these torture victims write that torture is the most horrific event a human being can experience. They state that whoever has succumbed to torture can no longer feel at home in the real world, and that trust in the world can never be regained again. This idea relates to Scarry's "making" and "unmaking" of the world (Card, 2010, pp. 208-209).

5. REDEFINING RAPE AS TORTURE

I contend that if torture is the fundamental violation of human rights²⁰, why is torture in terms of sex as in the case of rape not seen as a violation of human rights? This is also the question asked by Catherine MacKinnon in her book *Are Women Human? And Other International Dialogues*. MacKinnon argues that if women are abused their human rights are violated in as much the same way a person is experiencing torture. In her book, MacKinnon shows that rape fits the recognised profile of torture. She argues that rape constitutes an act of humiliation and intimidation, rather than a natural result of the perpetrator's sexual urges. Torture is recognised as usually beginning with abduction, detention, imprisonment and then progresses to extreme physical and mental abuse, and can sometimes end in death. In the case of torture, the torturer has absolute power and the person being tortured becomes a victim of this abuse of power. Physical and verbal abuse makes the victim feel worthless and hopeless, and this is essential to the torture having its intended effect. What torture does to a human being is internationally recognized. The sole purpose of torture is to break a person. MacKinnon describes torture as being capable of changing a person's life and the generally recognized purpose of torture is to control, intimidate or eliminate those who insult or challenge or are seen to undermine certain powers. Torture, according to MacKinnon is therefore political, although it often seems that its political overlay is facilitating pretext for the pure exercise of sadism, a politics of itself.

When torture happened, the international governing rules protecting human rights acknowledge that human rights were violated. MacKinnon compares a case of torture with a rape case and points out that both rape and torture share some of the same characteristics. In both instances we find a person with power, who takes control over a victim. The abuse is neither random nor individual. It is a systematic abuse of power. It would seem that something is not considered a political act if it is done to women by men. As she argues:

“Then it is not considered political, because what is political is when men control and hurt and use other men, meaning persons who are deserving of

²⁰ “The list of ‘gross human rights violations’ does not include rape whereas it does include torture”. (Du Toit, 2009, p. 20)

dignity and power, on some basis men have decided is deserving of dignity and a measure of power, like conventional political ideology, because that is a basis on which they have been deprived of dignity and power. So their suffering has the dignity of politics and is called torture” (MacKinnon 2006, p. 22).

MacKinnon argues that the difference between the tale of torture and that of rape is seen in the legal response to these situations. Every effort is made to bring justice to people who were found guilty of acts of torture, but with rape, the rapist hardly gets prosecuted.

MacKinnon moreover proposes that the wrongness of rape is difficult to define, because the starting point has always been that rape is defined as distinct from intercourse, and that it is difficult for women to distinguish the two under the conditions of male dominance (MacKinnon, 1989, p. 174). MacKinnon continues by saying that if sexuality is defined in this way and if sex is understood as something men do to women, then the question about consent and force in the legal realm of rape largely lose its meaning. This could be the reason why so few of reported rape cases lead to actual convictions. Women will feel that the law against rape is basically unenforceable and why so many women will feel that “rape is not prohibited; it is regulated” (MacKinnon, 1989, p. 179).

When we look at the definition of torture, as also cited above, the only segment that does not correspond to that of rape, is the fact that rape does not involve acts by the state. Rape happens between non-state actors in a civil society. MacKinnon responds in the following way to this potential challenge of viewing rape as torture. First of all, she argues that the state is not all there is to power. “To act as if it produces an exceptionally inadequate definition for human rights when so much of the second-class status of women, from sexual objectification to murder, is done by men to women without express or immediate or overt state involvement” (MacKinnon, 1989, p. 23). She argues that the state protects itself by labelling rape as private and therefore those areas are inappropriate for the involvement of the state. Secondly, she argues that the state is deeply involved in the abuses mentioned, collaborating and condoning them. To this point she adds that the fact that the law protects rapists and is often written from their perspective to guarantee impunity for most rapes shows that the state is involved in rape. As she writes “High on my list of state atrocities of this sort is rape’s law defence of mistaken belief in consent. This permits

the accused to be exonerated if he thinks the woman consented, no matter how much force he used" (MacKinnon, 1989, p. 25).

It can thus be said that the state, or state actors are not the ones physically raping the victim, but the involvement of the state cannot be overlooked. As Green argues: "Perhaps the most powerful way in which the state contributes to gender violence is through its abdication of responsibility to protect women" (Green, 1999, p. 99).

MacKinnon (2006, p. 17), therefore, urges us to rename many of the abuses which women face as torture. This would draw on the "recognized profile" of torture internationally, garnering national and international recognition of the egregious nature of all violence against women. Furthermore, the benefit of labelling rape as torture would be that it makes it possible tap into successful legal sanctions and penalties that are accepted internationally, enforced nationally and which may, therefore, begin to act as a deterrent. Women are not granted the same measure of power and dignity, and the sexuality that defines a woman does not have dignitary standards.

In a South African context, Louise du Toit also argues that rape must be seen as torture. She reasons that the high South African rape rate means that we view women and children as second class citizens. "Rape ought to be framed as a citizenship issue, because of its political and public nature, in opposition to those in society who persist in trivializing rape on the assumption that it is personal and private" (Du Toit 2005, p. 253). The reason she says that rape is political is because politics is about who has power over whom, and rape is one of the many ways in which people with penises exercise power over people without penises.

Louise du Toit argues that rape in South Africa should be regarded as a political problem, pertaining to gender oppression and masculine power objectives. If we see rape as a political problem it also means that we need to find political solutions. As she writes:

"As long as circumstances make it reasonable for women to conclude that it is useless to report rape, then I would contend that the state and its structures are complicit in sustaining and perpetuating a culture or social ethics of rape which systematically humiliates and paralyses far more than half of its population. Like the lynching of slaves and the torture of political enemies, the rape of women should be understood as systematic and deliberate control through fear" (Du Toit, 2005, p. 267).

This quote links with the idea introduced earlier by Susan Brownmiller, i.e., that men keep women in a state of fear, when all women at the moment in time may be a potential rape victim. As MacKinnon (1989, p180) rightly maintains: “To be rapable, defines what a woman is. And Andrea Dworkin argues that due the threat of rape, “all women live in constant jeopardy, in a virtual state of siege” (Dworkin, 1976, p. 37).

Du Toit argues that when one reads rape as torture, one will understand some of the elements of rape better. A person must first attempt to understand why rape has become such an accepted part of our daily lives. In the first place, it has become such a part of our daily lives because people are generally silent about rape. It is difficult for a rape victim to speak about rape, because rape is seen as a dirty secret. Women also fear that they will be ostracized by their families and friends. Another reason why women do not talk about rape is because guilt is often internalized by women. In this regard, Du Toit discusses four ways in which rape can be compared to torture:

a) Fear

The first comparison between rape and torture can be seen in the way in which the instilling of fear or terror in a defined section of the population translates into power-political gain for another section of the population. The fact that women and children are scared of getting raped by men helps to create and maintain a gender hierarchy in South Africa. Women cannot be fully present in South Africa, because they walk around with the fear of maybe being the victim. They make choices on the basis of safety. A woman, for example will not go jogging after dark in the evening, because she is too scared of being a victim of rape. There is little distinction regarding the category of women chosen for rape. No-one is safe. From a very young age, women are taught not to trust anyone. This influences the type of relationships a woman can form with other people. Women are usually hesitant trusting other people, and also the government. There are far too many horror stories of women being assaulted and raped by officers of the law. Ironically, it is the same law that is meant to protect you or come to your aid when you find yourself in an unsafe situation that is responsible for these women's violation. As she argues: “ The fact then that women are raped on large and seemingly uncontrollable scale without the authorities taking a strong

stand on all policy levels, translates for ordinary South African women into pervasive fear, systematic (contagious) humiliation, and incapacitation” (Du Toit, 2005, p. 260).

b) Trauma

The second comparison between rape and torture is the fact that both rape and torture can be seen as a traumatic event. Du Toit argues that people are currently underplaying the trauma involved in a rape case, because people still see rape as something bad that happens to women. By doing this, people make rape a women’s issue. Rape victims, as with torture victims, testify that rape and torture tears apart the lived wholeness of their existence. Their sense of time and space are disrupted. They are aware of both a time and a space that existed before the rape, but view both that time and space as damaged and no longer believable. As argued by Du Toit: “Their self, their life story, and their bodily autonomy all become undone or unravelled by the rape and there is a destruction of the core attitudes necessary for psychological survival, such as ‘basic trust’ and ‘primitive omnipotence’ (Du Toit, 2009, p. 80). Victims of rape and torture have to rebuild their lives. The trauma of these life changing events captures the victim in an all-consuming fear and terror, dictated by memories of the event. Victims of rape and torture typically present with the symptoms of posttraumatic stress disorder. The self of the victim is destroyed to such a point where they become dehumanized. Rape’s and torture’s effects are not contained within the event. It distorts what come after the event as well. The victims of rape can believe that they were never really in control of her life to begin with.

c) False Motive

The third comparison between rape and torture according to Du Toit is the fact that both acts hide behind a false motive. Gathering information paints the torturer as the vulnerable party, with a need that only the victim can fulfil. In the same way, the rapist likes to see himself as vulnerable, because in him exists a need that was created by the woman and that only the woman can fulfil. “But ironically, the pretended vulnerability of both torturer and rapist serves also to cover up the real vulnerability or need- the actual motive for the torture and rape” (Du Toit 2005, p. 264). Whichever way you look at it, the real motive for both torture and rape is power. Torture facilitates the version of the prisoner’s pain into the power of the establishment. The false motive for rape is ample: the legacy of apartheid, male

aggression, and militarization of our male youth, the appearance and behaviour of women or the violent culture we live in. All of these motives have some truth hidden in them, but above all, men rape to feed their desire for power.

d) Performance

Rape also shares with torture its sense of being a performance, with a stage, a theatre and a production room. So we see how the phenomena of gang rape also relate to the theory of rape as torture and an act of performance. Rapists often find it important to have a crowd, and this idea fits in with the idea of rape as torture, where the rapists has to prove his manhood by inflicting pain or humiliation to his victim. If we compare rape to theatre, the penis will play the role of the protagonist. Everything works together to create a spectacle of power. The woman's body provides the stage and the props. As Du Toit says it well:

"If extreme bodily pain reduces the prisoner to raw bodily existence, and if his world is destroyed to the exact measure that his body enlarges to fill his universe, then in rape, something similar happens. In rape, the woman's body comes to fill her universe and destroy her world, her body itself turning into her enemy and into the rapist's weapon. Through societal prejudice about women's complicity in rape, through being faced with death and complying with the rapist's demands out of fear of death, and through extreme sexual humiliation, the woman or child is brought to a point of profound self-alienation and intense self-hatred. A rift is torn open between her will or desires, her deepest intentions and fears on the one hand, and her actions on the other. As in torture, the person being raped often loses control of her bodily functions. During and after rape and torture, victims experience an acute loss of control over their lives, their bodies, their voices. This loss is essentially a loss of world and of a prior, integrated sense of self" (Du Toit, 2005, p. 266).

This description offered by Louise du Toit is illustrated well by Alison Botha's²¹ description of her horrific rape in her book *I have Life*.

"When he finished he slithered up towards my breast and then he latched on to it like a leech. I stared down at him. It was an oddly disconnected moment. Here was this strange man at my breast. It was such a violation of my body,

²¹ In 1994, Alison Botha was raped by two men. They then, stabbed her more than thirty times with a knife and tried to slit her throat more than 16 times. She was left for dead in a veld. She had to gather her intestines and tuck them into her shirt while she held her head on her body with another hand.

my personal space. I could see him doing it and it revolted me. He looked up, smiling at the purple 'love-bite' he had left behind. Then he moved up and kissed me. There was an over-whelming stench of nicotine. His breath was sour and he probed my mouth with his tongue. 'You have the nicest fanny', he whispered. I was disgusted by the intimacy of his remark. Then he raped me. As it happened I realised that I was moist and I was horrified. I felt that my body had betrayed me completely" (Thamm, 1998, p. 20).

Allison's story made the headlines because it was a brutal attack, and she survived. One of the big issues about South Africa is that, because gender based violence is so omnipresent, it usually does not make the news unless it is exceptionally dramatic. The fact that we have normalized rape has caused the population to become desensitized towards incidences of rape.

Du Toit states that the fact that rape is so normal in South Africa testifies to one of the paradoxes at the heart of the political transition. She argues that "in a previous dispensation rape was justified to an extent by the legitimacy of the struggle, but now that a legitimate government is in place, the very same acts of rape must no longer be viewed as political actions because that would undermine the new dispensation's claim to legitimacy, and so they come to be treated as 'purely personal', criminal actions undertaken by symbolically marginalized individuals." (Du Toit, 2009, p. 16). During the apartheid struggle a woman's rape was justified in the terms of the struggle. It was seen as a weapon of terror, an instrument of torture or a way in which one could reward a soldier, and it was done by both sides of the struggle.

Rape is a form of torture. The rapist does not need the same tools as the torturer, he does not need a torture chamber or it does not even have to happen in a time of war. Examinations²² of rape victims have shown that the trauma a victim of rape experience is comparable to that of torture victims. Rape and torture has the same two targets: a people and its civilisation. Whenever a person is raped, wherever it happens and whatever form it takes, rape, like torture is a crime against humanity.

²² Burgess and Holstrom, Rape Trauma Syndrome (1974) American Journal of Psychiatry

e) Voicelessness

In addition to the remarkable work done by Louise du Toit in comparing Rape with Torture, I would also add the voicelessness that can be found in both the victim of rape and the victim of torture.

Avelar (2001, p. 183) in conversation with Elaine Scarry argues that if we can recognize how torture achieves the removal of voice, only then can we find ways to overcome such silencing. Individuals engaging in torture are inclined to remain silent about their activities because most perpetrators and their governments would prefer not to draw attention to institutional contraventions of international human rights law.

Elizabeth Stanley moreover ascribes the silence of the victims to a multiple of reasons which includes the difficulties in communicating pain, the problems of devalued identities, the desire to protect the self and others, attempts to manage identities, in addition to confusion with regard to the recognition of their perpetrators' 'humanity' (Stanley, 2004, pp.5-6). In this regard Elaine Scarry writes that torturers mimic the work of pain by momentarily breaking off the voice, making it their own, making it speak their words, making it cry out when they want it to cry, be silent when they want its silence, turning it on and off like a switch (Scarry, 1985, p. 54).

There are several reasons why I contend that the victims of rape are voiceless. In the first instance, during the act of rape, the victim is either unable to scream because her life is threatened or there is nobody close by. Either way, her voice will not be heard. In the second instance, the victim of rape feels voiceless because of her inability to speak about the rape. The reason why rape victims can often not speak about the incident is because of the stigma associated with rape and also because of the rape myths discussed above.

f) Torture becomes Terror

The word "terrorism" invokes images of religious extremist strapping a bomb to their chests and walking into a public place, killing numerous innocent civilians. Images of countries terrorizing other countries, but there exists another type of terrorism, a terrorism that pervades our culture that we have learned to live with, as if it is the way it should be.

Rape has come to be seen as something to be condemned, but never to be addressed in such a way that sees an end in sight.

Scholars like MacKinnon and Du Toit have helped us to understand that rape ought to be understood as a form of torture. In one respect, making the link between rape and torture is a conscious strategy in order to raise the profile of a previously trivialised crime primarily affecting women, and then to open access to remedies that were otherwise not available. By understanding and defining rape as torture, it is possible to counteract the gendered division that exists in society today. According to Claudia Card, “violence, or the threat of violence, against innocent civilians is the most obviously problematic feature generally associated with terrorism” (Card, 2010, p. 127). Rape, as with terrorism, targets women and girls of all ages. The most prominent feature of these targets is their gender. When rape is a weapon, it is not merely a gigantic hate crime against women, but rather an act of terrorism. As we have seen earlier in this chapter, the purpose of rape is controlling women’s behaviour through fear. Torture, terrorism and rape tame their victims by relying on the debilitating effects of fear. Torture becomes terrorism when some is tortured to get an entire group to submit. The pervasiveness of rape and violence against women creates an environment of terror and the awareness that strangers, friends, even family members could be possible attackers.

In the attempt to cut women down to size and keep them in a subservient position, rape is used to terrorise a group. In the final chapter of her book *Are Women Human*, Catherine MacKinnon makes a persuasive argument for the comparison between terrorism and rape. She compares September 11²³ with the rape of women.

“This international effort, the “war on terrorism”, calls the acts of September 11th “terror”, a term that has far less settled international definition than armed conflict has. Yet UN Security Council resolutions have used it repeatedly in reference to the events of September 11th without definition, over little protest. Clearly, the acts of that day fall within a widely understood meaning of the term. Common elements include pre-meditation rather than spontaneity, ideological and political rather than criminal motive, civilian targets, and sub national group agents. What about violence against women

²³ The September 11 attacks were a series of four coordinated terrorist attacks on the United States on the morning of Tuesday, September 11, 2001. The attacks consisted of suicide attacks used to target symbolic United States landmarks.

fails to qualify? Much of it is planned, including many gang rapes and serial murders, much stalking and sexual harassment, a lot of pornography production, and most sex trafficking. If sex is one way power is socially organised, forming a sexual politics, sexual violence is a practice of that politics, misogyny its ideology “(MacKinnon, 2006, p. 264).

MacKinnon continues by saying that the international law of war addressed rape in war at the Tokyo Trials²⁴, by the Yugoslav Tribunal²⁵ and by the Rwanda Tribunal²⁶, but international law still cannot see that one half of the society are dominating members of the other half of the society in frequently violent ways all the time. Men and women are in a constant Civil War. While this war is taking place, life is being regarded as normal. She writes: “Nothing imagines a conflagration with one side armed and trained, the other side taught to lie down and enjoy it, cry, and not wield kitchen knives (MacKinnon, 2006, pp. 266-267). The only reason given by the international law for not acting against gender violence is historical reasons. The international law cannot act against gender violence, because it has never before acted against it. September 11 devastated every single American, and President George Bush declared it an act of terrorism. After September 11, policies were changed, rules were adapted and procedures were redefined all of this to protect people from another attack. Two months after the attack the Aviation and Transportation Security Act was passed. This act implemented procedures that included stricter guidelines on passenger and luggage screening. After September 11, more than 130 pieces of 9/11 related legislation was introduced in the 107th Congress. People travelling to America declined deportations as a whole rose. Catherine MacKinnon asks to compare the response to September 11th with the excuses for doing nothing about violence against women.

“Violence against women is imagined to be nonstate, culturally specific, expressive acts of bad apple individuals all over the world that is so hard to stop. Terrorism, which is all of these, is said to be so serious that there is no

²⁴ The Tokyo Trials lasted two and a half years, from May 1946 to November 1948.

²⁵ The court was established by Resolution 827 of the United Nations Security Council, which was passed on 25 May 1993. It is a body of the United Nations established to prosecute war crimes committed during the wars in the former Yugoslavia, and to try the perpetrators.

²⁶ After the Rwanda Genocide, the international community decided, through the United Nations Security council, to create a jurisdiction which purpose it was to prosecute persons responsible for genocide and other violations against human rights.

choice but to stop it, while seriously addressing threats to women's security is apparently nothing but a choice, since it has barely begun" (MacKinnon, 2006, p. 269).

As Susan Griffin puts it in her powerful article "Rape: The All-American Crime":

"Rape is a kind of terrorism which severely limits the freedom of women and makes women dependent on men. The threat of rape is used to deny women employment. The fear of rape keeps women off the streets at night. Keeps women at home. Keeps women passive and modest for fear that they be thought provocative" (Griffin, 1977, pp. 329, 331).

Griffen continues by saying that she has never been free of the fear of rape and that she, from a very young age, thought of rape as part of the natural environment something to be feared and accepted as part of normal life. Acts of rape always have served for her as a form of terrorism that terrorises women as a group. What makes both terrorism and also then rape understood in terms of acts of terror so problematic is the fact that or the threat of violence is directed against innocent civilians. It is clear from the discussion about terror that both torture and rape accomplishes terror. Both rape and torture terrorizes its immediate victims, the other people that are aware that it is happening and this terror then spreads to society as a whole.

6. CONCLUSION

I have argued in this chapter that society uses rape myths to justify rape and that underlying rape myths is the belief that women are responsible for rape. This discussion on rape myths has shown that a new definition of rape is needed. In Chapter Two other Feminist Theories of Rape has also shown that a new vocabulary on rape is needed to ensure that the terrorizing of women stops.

Chapter Two has shown that when we redefine rape as torture, the following components of torture will apply to how we see and how we deal with rape. Firstly, we will accept that rape is an act of power, which is taken through sex. Secondly, that rape causes immense trauma and instil fear in the victim, which mostly, but not always are female, which can be likened to an act of terror that terrorize women collectively. Thirdly, that rape must be understood fundamentally as a sexually specific act that destroys the personhood of a woman. Fourthly, that all rape should be seen as torture and that the rape law must shift its focus from the behaviour, selfhood and responsibilities of the rape victim and towards the behaviour, selfhood and responsibilities of the rapist. In addition to this, I have shown that Rape renders a victim voiceless.

In the next chapter, I will use this redefinition of rape as torture as a hermeneutical lens to read the tragic story of the rape and murder of the Levite's Concubine in Judges 19-21. In this regard, I will employ the theoretical framework identified in the second chapter of this thesis that builds on theoretical perspectives regarding rape of Catharine MacKinnon, Elaine Scarry and within a South African context, Louise du Toit, as a way to reread the narrative of Judges 19-21. The narrative in Judges 19-21 shows that misogyny, rape and war are interrelated structures of oppression and link to other social categories of domination. In these structures women are viewed as goods, to be used and even abused, eventually murdered and cut into pieces. Judges 19-21 betray a fear of women and women's sexuality, and that this fear of women's sexuality leads to violence against women as a way of controlling them. As argued by Andrea Dworkin: "Men become advocates of violence in order to master their fear of violence. They do violence in order not to be victimised by it, in order not to be weak and powerless like women" (Dworkin, 1989, p. 51). I will pay attention to the gender politics of Judges and show that the occurrence of

scapegoating women is in actual fact a strategy of patriarchy to avoid facing and having to deal with its own violent legacy. In Judges 19-21, violence against women is part of social and moral decay in Israel. By recognizing gender-motivated violence in biblical text I attempt to shed light on the global problem of violence against women, and show how redefining Rape as Torture can possibly contribute to a new understanding of this pandemic.

Chapter 3

Reading Judges 19-21 through the Theoretical Framework of Rape as Torture

“To hear this story is to inhabit a world of unrelenting terror that refuses to let us pass by on the other side” (Trible, 1984, p. 65).

1. INTRODUCTION

The narrative of the rape of the unnamed woman in Judges 19 is one of the most appalling texts in the Hebrew Bible. The account in Judges 19-21 shows that misogyny, rape and conflict are interconnected structures of domination and interwoven with other social categories of oppression. In these structures women are seen as goods, to be used and mistreated, with one woman ultimately being murdered and cut into pieces.

When we read these stories we cannot be complicit about the violence against women portrayed in these stories and accept the assumptions of phallogocentric superiority. When we are conscious of the links of misogyny, rape and establish hierarchies of socio-political economic life, Judges 19-21 becomes a highly relevant piece of literature that helps us to be more conscious of the harmful societal forces that create social, political, economic and religious hierarchies that place some people above others. The events that are narrated in Judges 19-21 is a grim reminder of the all-encompassing and persisting problem of misogyny and rape in androcentric societies that stretches back to the stories in the books of the Old Testament.

2. FROM MY REFORMED BAPTIST PERSPECTIVE

Because I am a member of a Reformed Baptist Church, reading from a feminist perspective did not come naturally. I was taught that all of Scripture was God-breathed, that it is inspired by God and infallible. Being a rape victim myself, I looked for guidance from my pastor. The counselling I received was sincere, but did not deal with my questions at all. It was said that

being raped was God's will and the most important thing to do is to forgive the rapist, because God forgives us our sins. At that stage, it did not make sense, but I had to try. According to the church, depression was also a sin, so the only choice I had was to move forward. It did however send me on a path to discover what other Baptist writers wrote about rape in the Bible.

A favourite theologian and author of the Baptist denomination is John MacArthur²⁷. He also published a Bible, *The MacArthur Study Bible*, which reveals some troubling views regarding rape in the Old Testament. I was particularly struck by the total disregard MacArthur shows towards the concubine. In his discussion on the interpretive challenges of the book of Judges, MacArthur notes that some of the most challenging elements of this book regard how people should view men's violent acts against enemies or fellow countrymen, and whether God approves of this. It is important to note, that he emphasises violence towards other men, but never refers to women. With reference to Judges 21:25 he writes that "Judges 17-21 vividly demonstrates how bizarre and deep sin become when people throw off the authority of God as mediated through the king (cf. 17:16). This was the appropriate, but tragic, conclusion to a bleak period of Israel history (MacArthur, 1997, p365). It is most disconcerting that MacArthur uses the word "appropriate" to describe what happens to those women in the end of Chapter 21.

I find it important to show a sample of Reformed Baptist interpretation of this passage, because to me it is clear to see how such views of Judges and in particular the narrative in Judges 19-21 that deals with rape, adds to misogyny and encourages patriarchy. Being a Baptist myself, it is important to show how this view and doctrine can be damaging in the way we view women; how we deal with rape, how we deal with the victims of rape and how we teach our children about gender and gender-based violence.

²⁷ John MacArthur is a pastor at Grace Community Church. He founded the Master's Seminary which is a graduate school dedicated to training men (no women allowed) for full-time pastoral roles. He is also known for his internationally syndicated radio programme called Grace to You. He has been acknowledged by Christian Today as one of the most influential preachers of his time. He has authored and edited more than 150 books. MacArthur was also a key person in the Lordship salvation controversy in the 1980's, arguing against Free Grace theology.

3. NARRATIVES OF RAPE IN THE OLD TESTAMENT

Interpreting biblical narratives as rape narratives is a fairly recent occurrence. According to Susanne Scholz it was not until the late 1970's that feminist scholars started focussing attention on these rape narratives in the Hebrew Bible. These scholars discussed narratives such as Judges 19-21 as rape narratives, but they were not all in agreement on the meaning of other rape narratives. An example of such a narrative is Genesis 34, which some feminist scholars interpret as a rape narrative, but which authors such as Anita Diamant portray as a love story in her widely popular novel, *The Red Tent*²⁸ (Scholz, 2010, p. 4).

In the Hebrew Bible, women were generally treated as property. As such, women were often used as bargaining chips in negotiations, for labour, sexual gratification and to reproduce families. It was often the case that women had no say with regards to how they were handled socially or domestically. In fact, a woman's social status was often determined by a man's willingness to marry her. The Bible silences women and everything about women is filtered through the voice of the narrator (Nadar, 2006, p. 78).

This is particularly true in the case of rape. When a woman was raped and lost her virginity in the process, she lost her social status. She could only regain that status if her rapist came forward and married her. Her undesirable situation could be amended only by the man who raped her. It was only after she retrieved her lost honour by forcing him to marry her, did she assume again her female identity and with it her recognized status in society (Malul, 2009, p. 9).

In Deuteronomy it is written that: "If a man happens to meet a virgin who is not pledged to be married and rapes her and they are discovered, he shall pay the girl's father fifty shekels of silver. He must marry the girl, for he has violated her. He can never divorce her as long as he lives (Deut 22:28-29). The law forces the rapist to pay a certain amount to the father and he must then marry the girl.

²⁸ In this novel, Dinah is the narrator, and her encounter with Schechem is not rape, but consensual sex in anticipation of marriage. This novel has sold millions of copies and has been translated into 28 languages.

Scholz rightly argues that this law distrusts the victim's word and action, and readers following this ideology do not look for ambiguity. They do not entertain a woman's innocence, and the history of interpretation gives witness to the widespread disregard for her perspective" (Scholz, 2005, p. 56).

According to Nancy Bowen, there are numerous instances in which there are intersections of women and violence in the Bible. The primary intersection occurs within the Bible itself in narratives that recount physical acts of violence against women, e.g. Lot's wife (Gen 19:26), Chozbi (Num 25:7-8), the Levite's concubine (Judges 19) and Jezebel (1 Kings 16:31). There are also subcategories of violence against women which includes killing and abduction of women during war and the other reflects the narratives of sexual violence against women, e.g. Hagar (Gen 16:1-4), Bathsheba (2 Sam 11:4) and Tamar (2 Sam 13:11-14) (Bowen, 2006, p. 188).

Another example of violence against women is violence by the text, in which case the Bible is used as a weapon against women, especially to enforce subordination (Bowen, 2006, p. 191). It is clear that the Bible plays an important role in marginalizing women. Several churches use Scripture to explain that the place of a woman is in submission to her husband or any man in the church. One such writer Stuart Scott writes the following about biblical masculinity and says the following:

"Later in Scripture, husbands are clearly instructed to be the head in the marriage relationship, and women are commanded to submit to the husband's leadership and to respect his God-given position (Eph 5:22-33). It was to men that God gave leadership positions in the nations of Israel. Furthermore, it is to men that God gave the position of leadership in the church (1 Timothy 2:11-12). It is obvious that God has given man the role of ultimate leadership" (Scott, 2003, pp.164-165).

Feminist scholars agree that Scripture has been used to halt the emancipation of women and then to justify such emancipation. For instance, already in the early 20th century, Elizabeth Cady Stanton wrote about the issue of using the Bible as a weapon against women when she argues that civil law, the church, the state, political parties and religious denominations have taught that women were made after men, in other words women are inferior and subject to men. Cady Stanton adds that whenever women protest against social inequality and secondary status in churches, the Bible is invoked because it

teaches the divinely ordained subordination of women and the creational difference between men and women (Cady Stanton, 1898, pp.67-68).

4. JUDGES 19-21 AND FEMINIST BIBLICAL INTERPRETATION

In general, feminist scholars interpret the book of Judges as a book in which women are raped, betrayed, sacrificed and dismembered. In all of these accounts, women are not allowed to speak. One could say that this story reflects a world in which women have neither voice nor choice (Newsom and Ringe, 1992, pp.72-77). In the following section, I will introduce the work of four scholars who have all written on Judges 19-21 and that all can be described as feminist biblical interpreters, with the exception of Koala Warsaw-Jones who offers a Womanist interpretation of Judges 19-21.

a. Cheryl Exum

Cheryl Exum interprets Judges 19-21 from a feminist point of view. She argues that the anonymity of the Levites' secondary wife distances the reader by making it extremely difficult to view her as a person in her own right. Exum renames the concubine Bat-shever. The name Bat-shever translates to "daughter of breaking" which according to Exum is a fitting name for her as it recalls the treatment that she had to endure (Exum, 1995, p. 83).

Moreover, the English translation of the word *pīlegeš* as "concubine" suggest to the reader that this woman is not legally married, whereas the Hebrew word is better translated to mean a legal wife of secondary rank. The reference that the Levites's wife "played the harlot against him," according to Exum means that she was angry with him, because the text provides no evidence of sexual misconduct. It is also highly unlikely that this woman became a prostitute and thereafter returned to her father's house.

According to Exum, the dismemberment the woman later would experience conveys a very clear message about female sexual behaviour. By leaving her husband, the concubine revealed a gesture of sexual independence that threatens the very foundation of patriarchal ideology. This act of sexual independence required the concubine to be punished sexually. The fact that she is then cut up into pieces can be seen as a

psychological level as an expression of fear by men of women's sexuality, and must therefore be destroyed (Exum, 2007, p. 84).

In the story, the men of Gibeah are shown as intending to rape the Levite. Rape is a crime of violence and not of passion, therefore we can assume that the men of Gibeah wanted to humiliate the Levite, by forcing him into a submissive role, like that of a woman. Instead of the man, they receive a woman. Exum believes that there are two impulses at work here: "male rape is too threatening to narrate, and, in terms of the gender-motivated subtext, it would leave the woman unpunished. The narrative possibility of the Levite's rape by the mob is therefore abandoned. This would then explain why only the concubine is raped in Judges 19. Both the host's daughter and the concubine were offered to the men of Gibeah, but only the concubine suffers through the rape. If one understand the concubine's rape in the narrative as punishment, then it would make sense why the other woman was spared the ordeal, she did not commit a sexual offense against male authority. Underlying the narrative in Judges 19-21 is a strong message to women in general: any claim to sexual independence has unspeakable consequences. The reader can also see how rape myths can be identified in this passage. Had the concubine stayed at home, where she belonged, she would not have ended up at the wrong place. By suggesting that women, by the way they act, are responsible for male hostility, the narrator relies on a primary patriarchal strategy for exercising social control over women. The message in Judges 19 is therefore a warning: if you do anything to suggest improper sexual behaviour, you invite male hostility (Exum, 2007, p. 85).

b. Phyllis Tribble

In her book *Texts of Terror*, Phyllis Tribble names the chapter dealing with the rape of the concubine in Judges 19-21 as "The extravagance of violence." In Tribble's opinion, this story that we would rather forget, portrays the horrors of male power, brutality, female helplessness, abuse and annihilation. Tribble (1984, p.65) divides Judges 19 into three acts. In these acts she explores the effects of a patriarchal society, the dichotomy between the treatment of males and females, and also the power dynamics within the story.

Tribble (1984, p. 67) urges the reader to recognize the contemporaneity of the story, i.e. that misogyny belongs to every age and that violence and revenge are not just

characteristics of a distant, pre- Christian past. She continues by stating that women are still being captured, betrayed, raped, tortured and murdered. She suggests if the reader takes to heart the ancient story of the concubine in Judges 19, they will also confess the present reality.

Trible first turns her attention to the narrative itself. She emphasises the fact that the Levite's journey which was begun in order to persuade his concubine to return to relationship, 'to speak to her heart' (19:3), ends without the Levite speaking to her throughout the ordeal. He spends his time drinking with his father-in-law (vv 4-6). This theme of male bonding continues as the Levite only speaks in the whole episode to his father-in-law, his servant and his host until one abrupt command to the concubine: 'Get up, let's go' (v 28). In Hebrew this expression constitutes only two words which are the only ones he ever says to her. Tribble then draws our attention to the fact that all the female characters in the story are silent throughout the narrative. They have no say in what is inflicted on them by the very men who are supposed to be their protection (Tribble, 1984, p. 68).

The next scene moves them to the public square to a house in Gibeah and the second scene from the house to the outside and back again. The tale of terror unfolds as the men of the city arrive at the house, demanding to rape the Levite. Tribble comments that this story shows that rules of hospitality Israel protect only the men (Tribble, 1984, p.75). The men raped and tortured her all night until the morning.

At this point, Tribble shows that the Masoretic Text does not make it clear whether the woman is already dead. It is possible that the Levite kills the woman before distributing her body all across Israel. Here, Tribble argues, the narrator protects the protagonist through the uncertainty of silence while neither the other characters nor the narrator acknowledges the woman's humanity. Moreover, whereas in the Akedah (Genesis 22) God speaks to save Isaac when his father 'takes up the knife', God does not intervene here, God too is silent (Tribble, 1984, p. 77).

The editor of Judges uses this narrative in Judges 19 as one more illustration of what happens in a society without a king but looking at the evidence of the monarchy on sexual violence this counsel cannot offer the concubine any promises that it will never happen

again. When Phyllis Tribble wrote *Texts of Terror* she did so in order that the Church could identify the entrenched oppression of women in itself and in its Scripture and repent.

c. Susan Niditch

Susan Niditch in her commentary on Judges explains that Judges 19 provides the first part in a cycle of interconnected stories in chapter 19-21. She explains that the story cycle is packed with tales of violence and recreation: violence against visitors, contrary to ancient rules of hospitality, violence against women, like violence and mayhem of civil war, the undoing of the people and the decimation and rehabilitation of the tribe of Benjamin (Niditch, 2008, pp190-191). Judges 19 reveals a complex narrative pattern that points to a sequence of tension in ancient Israelite worldview involving gender, politics and the causes and conduct of war. Judges 19, like the two previous chapters and two subsequent chapters, moves away from the judge-centred format of the tales in Judges 3-16 and lacks the theological framework that is used in the rest of the Book of Judges in order to introduce the tales of the judges.

Niditch moreover states that as in the Danite foundational story (17:8), a Levite from Judah who sojourns in the hill country of Ephraim figures prominently. The term *pīlegeš*, translated as “concubine, is of uncertain etymological origins. In the Hebrew Bible, she is often a second wife and appears to have a status lower than that of a wife but higher than that of a harlot.

According to Niditch the passage is perhaps less about views of homosexuality, than a broader theme in sexual ethics in which one partner subdues, owns and holds unequal power over the other. What is most disturbing to Niditch is the noticeable willingness of the men to hand over their women to violent culprits (Niditch, 2008, p. 193).

Niditch is further of the opinion that women are manipulated, seized and raped in Judges 19-21. They are doorways through which pandemonium descends and order is re-established, critical aspects in narratives of identity creation and foundation. She continues by adding that the narrative is told from a male-dominated perspective, with in which instance women play a vitally important role in men’s tales (Niditch, 2008, p. 194).

Niditch moreover states that the narrative of Judges 19 begins with the sacrifice of a woman, continues with demands for collective responsibility and ends with the sacrifice of women, the exchanges by which men form or symbolize relationships (Niditch, 2008, p. 194). In Judges 19-21, the women themselves have no say in the matter. In Judges 21 a violent but socially approved “traffic in women” takes females out of the hands of one set of men and places them into the control of another. The women themselves, as in the story of the murdered concubine, are voiceless. Their transfer, however, completes the mythic cycle of tales about the formation of the people, much as the concubine’s murder was the starting point for it all. Niditch explains that to read Judges 19-21 as a narrative about chaos is correct, but chaos does not end the story. Rather the story ends with a victory, the cessation of hostilities, the reintegration of the enemy, and the transfer of women. Judges thus ends with wholeness, reconciliation, rehabilitation and peace, made possible in men’s eyes through the taking of women (Niditch, 2008, p. 211).

d. Koala Jones-Warsaw

From a womanist²⁹ perspective Koala Jones-Warsaw engages in her article “Toward a Womanist Hermeneutic: A Reading of Judges 19-21” with Phyllis Tribble’s interpretation of Judges 19-21 in her classic book *Texts of Terror*. Jones-Warsaw writes that Tribble in her reading of Judges 19-21 concentrates on the power dynamics which men have over women. Tribble portrays the women in this story as powerless victims and the men as powerful victimizers (Jones-Warsaw, 1993, p. 172). Jones-Warsaw moreover argues that this is not the only power relation in Judges. Rather, she also examines the social dynamics of men and women in relationships, as she goes about offering a womanist interpretation of the text.

Jones-Warsaw continues to analyse the societal setting of Judges 19-21. She agrees that the framework of the story is a system of patriarchy. Under this system of patriarchy, the rights and privileges of people were dispersed according to gender and

²⁹ The term womanist is coined by Alice Walker in her collection of essays entitled *In search of Our Mothers’ Gardens*, published in 1983. For Walker, a womanist is committed to the survival of an entire people. Womanism, like Black Feminism, provides a space for Black women and women of colour to create dialogue in non-threatening way (Karenga, 2002, p.324).

societal rank. The men in the society were granted the greatest amount of power based upon certain factors, such as: wealth, birth order, age, clan and tribal affiliation. Women, on the other hand, received rights and privileges on the status of their patrons whose authority they were under: their fathers when they were younger, their husbands during most of their lives and their sons during widowhood. Once married, a woman could increase her communal value by becoming a mother. Moreover, within this system, polygamy was accepted (Jones-Warsaw, 1993, pp. 172-173).

After outlining the proposed setting for the narrative, Jones-Warsaw analyses the narrative, introducing the characters as they appear in the story and their responses to the events. She comments that in Judges 20, when the sons of Israel sought an explanation for his dreadful act, the Levite selectively reported the events that lead to his actions. However, he leaves out two imperative details: how it all began and his partaking in his concubine's death. He explained his curious act of dismemberment as being a direct reaction to the Benjaminites' performance of an evil plan and recklessness in Israel.

Jones-Warsaw then proceeds to critique Tribble's interpretation. She argues that Tribble writes from a feminist perspective and that she draws the reader's attention only to the female victims in the text. By separating Judges 19 from the rest of the literary unit, Tribble has been able to interpret the events as a simple act of men overpowering women. Jones-Warsaw argues that Tribble overlooks the greater degree of victimization and suffering in the broader context of the story. Tribbles' dichotomy of wicked men vs. innocent women sets up a thought pattern that ignores the interrelatedness of their fates according to which the men also are being victimised by the victimization of the women.

When discussing the seizure of the daughters of Shiloh in Judges 21, Tribble interprets the men's actions as lust gratification. Jones-Warsaw though argues that this was not the case and the men abducted the women because they were attempting to restore the practically lost tribe of Benjamin and to restore their inheritance. Jones-Warsaw argues that a hermeneutic that more truthfully addresses black women's reality is needed. She then suggests a possible hermeneutic for womanist readers. She states that a womanist is dedicated to the survival and wholeness of entire people, male and female alike. She concludes her essay by arguing that the task of a womanist biblical interpreter is to determine the implication and authority of the biblical text for black women who today

experience the tridimensional reality of racism, sexism and classism (Jones-Warsaw, 1993, pp.179-181).

e) Conclusion

It is clear that several feminist/womanist scholars have tried to make sense of this “text of terror.” Although the positions held by the feminist scholars above are persuasive, they do not wholly account for the complexity of the problem of rape in the society then and now. I propose that new perspectives on the narrative in Judges 19-21 are revealed when one reads and analyses the narrative through the theoretical lens of Rape as Torture as outlined in chapter 2 of this thesis. In the rest of this chapter, I will seek to read and interpret the story of the Levite and his concubine in Judges 19, together with the events following in Judges 20-21, through the theoretical lens of Rape as Torture. But before we turn to an exposition of the ways in which rape as torture is a helpful lens to read this story, it is important to engage in a literary analysis of Judges 19-21 with special emphasis on characterization as it will help the reader be aware of the way in which rape is narrated and in particular the effect on the characters that will be important when considering Rape as Torture.

5. A LITERARY ANALYSIS OF JUDGES 19-21

a. Defining Literary Biblical Interpretation

Narrative criticism is one of the more recent literary methods used to interpret the biblical text and was developed amidst a reaction against a domination of more historical approaches to the interpretation of the text.

Narrative criticism concentrates on characters, stories and settings in a work of literature. The form of literary criticism is mostly used where narratives in the Bible are analyzed for the literary rather than historical point of view.

The primary goal of narrative criticism is to allow the reader of the narrative to read the text from the perspective of the implied reader (Bartchy, 1997, p.5). In addition, Powell

(2010, p. 240) argues that the goal of narrative criticism is to establish the effects that stories are expected to have on their audience.

Narrative Criticism requires a story and a story-teller. The fundamental elements of any given narrative are plot, setting, point of view and character. According to Richard Bowman Narrative criticism seeks to determine and reveal the narrative's own intrinsic points of emphasis, in this manner facilitating its interpretation and subsequently helping to discriminate among various possible interpretations (Bowman, 2007, p.19).

In the book *Narrative in the Hebrew Bible*, David Gunn and Danna Fewell write that:

"These Biblical stories, like stories everywhere, can powerfully shape people's lives – even when the story may seem innocuous. Stories order and reorder our experience; that is to say they reveal the way things are in the real world. They reflect a given culture...they give meaning to life, implicitly making proposals for thought and action which are then embodied in a re-acted world" (Gunn and Fewell, 1993, p. 1).

According to Gunn and Fewell (1993, p. 47), the power of narrative can be found in the ability to mimic life, to call to mind a society that is like ours, to imitate authentic events and situations, to recreate people that we understand and to whom we can relate to. In so doing, the readers become familiar with these people in much the same way we get to know people in real life. They suggest that although we may not be dealing with real people when we encounter biblical characters, but we are using our experiences of real people to help us understand the biblical linguistic constructions.

I have chosen to apply the principles of Narrative Criticism to the text of Judges 19-21, because like Gunn and Fewell, I believe that the narrative of the concubine can powerfully shape the lives of people today. In addition to this, I believe that the narrative of Judges 19-21 has the power to reveal the way things are in the real world, thus that rape is in fact best consider as torture. Lastly, narrative criticism offers the reader helpful tools to enter into the text and make a connection between text and the contemporary context.

b. Literary Context

The narrative of the Concubine and the Levite begins with the phrase: "It was in those days when there was no king in Israel..." (Jdg 19:1). The Book of Judges reflects a turbulent

period in Israel's history, when the tribal amphictyony was led by a series of judges. These judges guided the people of Israel through their battles and challenges (Blyth, 2010, p.72). The narrative in Judges 19 forms part of a larger narrative that spans from Judges 17 to Judges 21. It is generally assumed that these chapters represent a later addition to the book of Judges. As the narrative in Judges 19 begins, the recurring phrase "In those days, when there was no king in Israel" signals to the reader that what is to come will demonstrate a fateful time in the life of Israel.

In his article on narrative criticism and the book of Judges, Richard G. Bowman argues that the narrator's use of repetition in each of the three parts presents an important thematic focus: the progressive deterioration in the relationship between the Hebrew people and God as well as among the Hebrew themselves.

This decline is particularly apparent in the epilogue of the book, in which the narrator repeats the phrase "in those days there was no king in Israel, all the people did what was right in their own eyes." This phrase occurs in Judges 17:6, and again in Judges 21:25. The repetition of the phrase serves as a way to set apart the epilogue as a separate literary unit.

Moreover it is significant to note that the narrative of the concubine and the Levite is circular in construction, beginning in the hill country of Ephraim, following the movements of the Levite and his concubine to the city of Bethlehem and then to the city of Gibeah.

c. Socio-historical context

In writing down the story of the Levite's concubine, the writer of the narrative and those who accepted it into the canon, made an intentional choice to include within sacred Scripture a narrative that effected a continuous cycle of violence (Judges 19-21), giving succeeding generations of Israelites a glimpse into a world without a king. Readers make a conscious choice to either face or ignore the story. Normally, the story of the rape of the woman is ignored. However, for those who deliberately confront this narrative, the story still speaks to them.

The social setting reflected in the Hebrew Bible is patriarchal. Women in the Bible are often anonymous; they have little or no voice and can be described without ever uttering a word (Zlotnick, 2002, p. 4). Moreover, we further see how a woman in ancient

Israel was expected to marry and thereafter bear children. Her duties were thus primarily reproduction and nurturing of children (Machaffie, 1985, p. 6). Despite the fact that the Bible speaks of a male-dominated and male-orientated society, in which a woman became a man's legal possession of marriage, the protection and right of wives and women is clearly stated. Knierem (1975, pp. 2-4) summarises the rights of women as follows: the engagement was a contract in which the bridegroom paid the price to another man for this man's daughter. The marriage was consummated when the bridegroom received the legal possession of her husband. He became her lord, her owner. As long as women belonged to their husbands they had rights which the husband had to observe.

A woman could not give legal testimony and her inheritance privileges, except in certain cases, were denied her. Tribble (1984, p. 116) states that as a girl was concerned, either her father or her husband controlled her life. If either of them chose to allow her to be mistreated or abused, she was obliged to submit. Furthermore she adds that from birth to death a Hebrew woman belonged to men. Already in the early 20th century, Elizabeth Cady Stanton, in *The Woman's Bible* argues that the ultimate womanhood portrayed by ancient writers is that of inferiority and helplessness. The women are often compared to some clear, flawless jewel and therefore reduced to serve simply as ornaments (Cady Stanton, 1999, p 26).

The Hebrew Bible stories revolve around the patriarchs and their sons while daughters are insignificant. Patriarchal dominance frequently relies on a form of violence, especially of a sexual character, and such violence is nowhere more perceptible than in the act of rape. In Judges 19, an unnamed concubine is gang raped, and butchered by her husband. This leads to a war in the final chapters which almost leads to all women being wiped out in the tribe of Benjamin. It is clear when engaging with Judges 19-21 that violence against women and their oppression is acceptable in the Hebrew society. This society is a place where women can be cruelly treated and are objects to the dictates of men, where decisions are made without the consent of the woman.

Alice Bach rightly states that it is difficult to reach conclusions about the lives of women because men wrote the text about the women. What the modern reader is left with is a male blue print for female behaviour (Bach, 1999, p. 14).

d. Characterization

i. The Levite and his concubine

Characterization is an important tool in discerning the way rape is portrayed in the story in Judges 19-21 that starts with a Levite travelling to Bethlehem in order to resolve matters with his concubine who has left her husband. It is significant that all the characters in Judges 19 remain nameless and without important characteristics. The absence of names in Judges 19 prepares the reader and contributes to a sense of anarchy and disorder in the narrative. The status of the concubine and her relationship to the Levite are also unclear. The woman is labelled a *pīlgeš* as literally, "a woman, a concubine" or "a wife, a concubine." With no explicit title for a "wife" in Hebrew, the general use of the word *pīlgeš* can describe a woman or a wife, or a secondary³⁰ wife. In Judges 19, the concubine is treated much like a wife, but her title may indicate that she does not have the rights of a free person. This portrayal of women is common in all patriarchal culture in which women are kept subservient to male hegemony, in which they are denied speech, existence and expression. In the case of the Levite, it is not clear why he married the concubine; there is no mention of his primary matrimonial wife. Gale Yee finds that an

“intrinsic analysis, acutely aware of absences in the text, notices furthermore that there is no textual mention of a primary wife. Her absence provides the first clue to the Levite’s character. In contrast to Israel’s patrilineal ideology, where men typically marry and have sons to carry on the family name, the Levite apparently eschews a primary wife and uses his secondary wife for sexual gratification (Yee, 2007, p. 152).

Cheryl Exum moreover notes that the English translation “concubine” gives the reader the impression that the woman is less valued, and even more expendable than a legitimate wife. She adds that it is strange that the primary wife is absent in the narrative (Exum, 1993, p. 177). In addition, Tribble describes the concubine as being virtually a slave

³⁰ Gale Yee writes that the woman is described as a *pīlgeš*, which is a wife of a secondary rank, and this is usually translated concubine. She continues by saying that for a man who already has children by his primary wife, the concubine role is usually there to provide sexual pleasure. A *pīlgeš* can also be taken in order to provide children when the primary wife is barren. (Yee, 2007, p. 152)

(Trible, 1984, p. 66). On the topic of anonymity, Trible adds that the concubine's namelessness serves to objectify her (Trible, 1984, pp.80-81).

Another significant point when discussing the characters is the unequal power relations between the Levite and his wife. The Levite is one of the cult leaders, who obtained his wealth from revenues peasants offer at regional shrines. His woman is described as secondary wife and one of her roles is to provide sexual pleasure. While a primary wife is already subordinate to her husband, the *pīlgeš* endures a double subordination in her position as secondary wife. The inferior status of the woman in Judges 19 is particularly evident after her rape, when the narrator refers to her husband as “master” (Yee, 2007, p. 152). The reader can also conclude that the Levite does not care terribly about his concubine, because he waits four months before he makes an attempt to go find her. The picture that is painted about the concubine is that she is a woman at the mercy of a male dominated society and who seems to willingly accept the passive role that society has bestowed upon her.

As with the concubine, the Levite is also nameless. He is only known as the Levite. Although the Levite is nameless, his designation as a “Levite” suggests certain expectations in the mind of the reader. Adele Reinhartz points out:

“The principal effect of the absence of a proper name is to focus the reader's attention on the role designations that flood into the gap that anonymity denotes. Focus on role designations, in turn, allows us to construct identity in the locus between the role designation and the character's narrative portrayal. In doing so we compare the stereotypical behaviours associated with the role in biblical narrative and the particular ways in which the unnamed character fulfils or does not fulfil the role, or we look at the degree to which he or she stretches its limits or calls its very contours into question” (Reinhartz, 1998, p.188).

In the event of calling the characters “the Levite” and “the Concubine”, the narrator establishes from the beginning that there will be a difference in hierarchical order between the man and the woman. By not naming the characters, the narrator is therefore successful in focusing the reader's attention to the role designations of the characters.

ii. The sin of the concubine?

The LXX-A and OL versions of In Jdg 19:2 read “his concubine was angry with him”, whereas the MT and Peshitta read “she played the whore on him,” the LXX-B and Vulgate read “she left him,” and the Targum reads “She snubbed him”. Some modern commentators would suggest that the concubine committed adultery, but the picture emerging from most of the above-mentioned translations denies that the concubine was sexually promiscuous. Bohmbach (1999, p. 90) observes that many biblical scholars are persuaded to follow the Greek and Old Latin versions and their translation of the text as “she became angry with him”.

We can conclude that if the woman did indeed commit adultery she would have been punished with death, as it states in Lev 20:10. She would not then return to her father’s house. Concerning this topic, Niditch writes that “the term, however, can also be used metaphorically to describe other acts of unfaithfulness. In a world in which men arrange the exchange of women, the woman’s departure, in accordance with her own decision, could be regarded as an act of defiance” (Niditch, 2008, p. 191).

Also Gale Yee argues for a figurative interpretation of the word.

“A stronger case can be made for considering her act figuratively. It is her very abandonment of her husband that the Deuteronomist describes as “fornicating” against her husband. Anthropological studies of women’s resistance to male authority provide a helpful model. For example, disrupting the household by vacating it abruptly is one of number of strategies women adopt to exercise autonomy in androcentric societies. In a society that so rigorously supervises the sexuality of its women, the daring act of leaving a husband would be judged, as the Deuteronomist does in this case, as a metaphoric act of “fortification” (Yee, 2007, p. 153).

In Jdg 19:2, the concubine goes to her father’s house in Bethlehem, Judah and stays there for four months until the Levite moves to find her. His aim is not to rebuke her or reprimand her, but to “speak tenderly to her,” or “speak to her heart” (Jdg 19:3). The translations of vs 3 vary here, and the MT says “she bought him to her father’s house”. Such an interpretation would support the statement made earlier that the Levite’s intention was to speak kindly to her, and reconcile their relationship.

iii. The Levite and his Father-in-law

In Jdg 19:3-9, the concubine fades to the background and the story shifts from the Levite and the concubine to the Levite and the father-in-law. The father, as head of the household, then fulfils his role by extending an offer of hospitality. The five days of eating and drinking came to an end. The fact that the author of Judges emphasises the repetition of the visitors' insistence to depart, illustrates the interaction between the Levite and the father, and at the same time emphasises the silence of the concubine. As Niditch rightly says: "The woman has no voice throughout the men's conversation, a reminder that the tale has to do with relations between the men" (Niditch, 2008, p. 192). In Jdg19:1-4, the reader finds various forms of social relationships in the text. There are relations of male to female, master to servant, son-in-law to father-in-law and inter-tribal relations.

After five days of eating and drinking at the home of the father, the second episode of the Levite and concubine begins, as they depart from the house. Because they have started out late in the day, they are forced to seek shelter along the way. The travelling party reaches the surrounding area of Jebus where they are faced with a choice of either staying in that Canaanite city or travelling on to the nearby villages of Gibeah and Ramah, which were in the tribal territory of Benjamin. It is ironic that the Levite rejects his servant's suggestion to stay in Jebus because it is a city of foreigners who do not belong to Israel. Jebus is in actual fact Jerusalem, which is the favoured capitol of the future monarchy, of King Josiah (Yee, 2007, p. 154).

iv. The men in the city square

The following verses introduce the reader to a new character, an old man who is an Ephraimite, living and working in Gibeah among the Benjaminites. The old man is also nameless, like the other characters in Judges 19. Returning from his work in the fields, the old man travels through the city gates and sees the Levite and his company in the city square. The old man, asks him where he is going and where has he come from. The Levite tells the old man that they are coming from Bethlehem and are going to the hill country of Ephraim. The old man does not acknowledge the company of the young woman or the servant but the Levite responds to the old man's questions in the plural, therefore including his company in his answer. It seems that, from the writer's perspective, the reconciliation of

the couple is no longer an issue as the coming events are about to demonstrate. The Levite is eventually offered hospitality by the older man.

v. The Concubine and the Virgin Daughter of the Host in Gibeah

At this stage in the narrative, the story sounds peculiarly familiar to the reader. There are many similarities, on grammatical and syntactical level, between the narratives in Genesis 19:4-8 and what happens to the concubine in Judges 19.

While the Levite and his concubine are in the man's house, a group of men encircles the house. They are not very subtle about their intention towards the Levite: "Bring out the man who came into your house, that we may have intercourse with him (Judges 19:22).

Gale Yee argues the following:

"Male-male rape should be understood in the context of male-male power relations. The phallus serves as a weapon of aggression that establishes a relation of dominance and submission. A man who is raped by other men figuratively becomes emasculated and "feminized". The Deuteronomist progressively disgraces the Levite in this way. The shame caused by his wife's abandonment and the subordination by his father-in-law intersect here and become sexualised by this threat of gang rape" (Yee, 2007, p. 154).

The old man leaves his house to offer the men of the town an alternative. He offers the men his own virgin daughter and the Levite's concubine as a substitute for the Levite's safety. The old man suggests to the men that they may rape or ravish them, using the same word to describe the rapes of Dinah in Gen 34:2 and Tamar in 2 Sam 12:12. In the account of the rape of the concubine it is significant that the voiceless do not have a part in the decision even of her own fate. Bach (1999, p.8) fittingly argues that "Women, even violated ones, are as silent, compliant, as uninvolved as the narrator understands them to be. For in biblical law, rape is a crime against the father or husband of a woman. A woman has no right to initiate a trial."

The Levite continues by saying that the perpetrators can do to the concubine whatever they please, or what is good in their eyes. This phrase could refer to the phrase that is repeated throughout the final chapters of Judges: "Everyone did what was right in their own eyes" (Jdg 21:25). The fact that the old man uses this phrase is ironic because he knows that what the concubine will endure next is definitely not a good thing.

From this narrative, the reader can conclude that the rape of a woman is less revolting for the old man than that of the Levite. Caroline Blyth argues as follow about the sacrifice of the concubine:

“In other words, they are suggesting that the phrase ‘and them’ essentially constitutes an invitation to the mob to shame and dishonour these two men rather than the Levite. As a priest who had been elected for divine services, the Levite was expected to remain holy before the Lord. (Lev. 21:8); however, had he been the victim of the sexual violence intended for him by the Benjaminites, he would have been forced to commit an unlawful and defiling sexual act. Furthermore, according to Stone, he would also have suffered the shame of being forced into the position of sexual object by the Gibbsite mob, and thus ‘demasculinized’ or ‘feminized’ by being treated like a woman- that is, a person not entitled to the masculine prerogative to sexual subjectivity” (Blyth, 2010, p.73).

When the Levite pushes his concubine out of the door, the narrator uses two words to describe what happens to the concubine. First in Jdg 19:25 the verb *yada* is used, that refers to sexual intercourse and rape in other biblical texts. The second verb that the narrator uses is *ala*. By using these specific words, the narrator not only says that the concubine was physically raped but also dehumanised. This is also the first narrated interaction between the Levite and his concubine.

In sharp contrast to the Levite who earlier in the narrative ran after his concubine in order to speak tenderly to her heart in Jdg 19:3, the Levite now shows no concern (Jdg 19:27-28). The Levite did not try and rescue her during the night, or even to find her when the night was over. The Levite stays in the house throughout the night while the concubine endures the abuse of the men. As argued well by Jacqueline Lapsley:

Even given the patriarchal cultural context of this story, it is impossible to put a positive spin on the Levite’s actions and precisely for this reason the Levite’s actions helps to interpret the old man’s suggestion about offering up the women to protect the Levite. The narrator to this point has taken pains to depict the Levite as utterly indifferent to his wife, despite his initial intention to “speak to her heart.” Seizing her and throwing her to the mob thus conforms to what we know of his character” (Lapsley, 2005, p. 46).

The manner in which the rape narrative is portrayed in Judges 19 shows how frivolously rape is presented in the narrative. The rape is described in one sentence, making it appear normal.

vi. The Narrator's response

As morning approached, the concubine fell down at the door of the man's house, with her hands on the threshold. The narrator's choice of words to describe the concubine is worth mentioning. The narrator does not refer to her as the secondary wife anymore, but merely "the woman". The woman is described for the first time without reference to the men who have power over her. According to Lapsley, this description has a dual effect. On the one hand it shows the reader that the woman is vulnerable and isolated because she has been abandoned by her male relations. On the other hand, Lapsley argues, she has been absent from the story until this point, and now appears to the reader with more substance by the means of the simple designation of "woman" (Lapsley, 2005, p. 47).

The last three words of the sentence are also of note. The detail describing the position of the woman's hands draws the reader's attention towards the agonizing vision of the woman's pain and the dreadfulness of the torment she experienced.

vii. The Levite's Response

The Levite appears from the house and he is on his way home, without considering the concubine. In this scene the Levite shows no interest in the concubine. The Levite's staying inside the house until the next morning is mentioned twice in the narrative (Jdg 19:26, 27). This reference to the man inside the house and the woman outside emphasizes the contrast between the safety inside the house and the image of suffering outside the house. The Levite was determined to go without caring what happened to her. The Levite addresses the Concubine in a very abrupt way—"get up and let's go." The Levite's demand sounds more callous and harsh in Hebrew because of its brevity of phrase *wēnēlēkāh*.

At this stage the Levite does not take time to investigate if his concubine is in need of help, to look at her injuries or to see if she is dead or alive (Aschkenasy, 1998, p. 74). The Levite is aware of the fact that his concubine was raped for the duration of the night, and yet he still commands her to stand up.

At this stage of the narrative, the reader is left to guess the status of the concubine. Scripture is not clear if the concubine was dead the next morning, if she died on the way back home, or if she was still alive when the Levite cut her into pieces. Mieke Bal fittingly

observes that when the Levite cuts the body into pieces, the woman's body is put to semiotic use, but this time by the Levite (Bal, 1988, p. 157).

viii. The Community's Response

According to Susan Niditch, the image of dividing the concubine's corpse into twelve pieces is a gruesome parallel to Saul's divvying up his father's oxen and sending the pieces to the terrorists of Israel with a warning that they must join him in battle lest he slaughter their cattle. The difference is however that in the Judges narrative the enemy is internal and the sacrificial victim is now doubly sacrificed and victimised twice (Niditch, 2008, p.193). One can thus say that Judges 20 describes Israel's descent into civil war, ironically, prompted by the rape of one woman.

In response to Levite's question "How has this evil come to pass", the Levite gives his account of the story. In the Levite's account of the story the repetition of the words "me" and "my" signifies the self-serving character of the Levite. The awkward grammar of "they surrounded against me the house" instead of "they surrounded the house" reflects the depth of the Levite's self-centredness. It shows the reader that the Levite feels compelled to put himself in danger (Lapsley, 2005, p. 51).

The Levite omits the fact that the mob was intent on raping him and also his own participation in his wife's destiny. He does however not the crowd of his subsequent dismemberment of the woman's body tell. The Israelites listen to his account of the story and then decide to request that the Benjaminites release the sons of Gibeah who committed the rape. Benjamin refuses the demands of their brethren, placing themselves alongside the "rapists rather than the assembly of God," and also they move their forces to Gibeah to face the army of Israel.

The Benjaminites continues to mobilize an army of twenty-six thousand swordsmen and seven hundred chosen men from Gibeah. Israel counters by facing Benjamin with four hundred thousand swordsmen, and the Benjaminites kill twenty-two thousand Israelites. The Israelites mourn their loss, and pray to God, who in return tells them to fight again. Before going back to the battlefield they wept before God. On the morning of a new day,

Israel launches another attack against the Benjaminites and the Israelite casualties are around eighteen thousand fighters.

On the third day they devise a military strategy and trick the Benjaminites into defeat. Initially they kill 25, 100 Benjaminites, but when they move into the city of Gibeah, they kill the entire city, which included all the inhabitants and all the animals. However, 600 Benjaminites escape and flee.

ix. The reconciliation of men

Judges 21 describes the reconciliation of men by means of the exchange of females. In Judges 21 the reader observes a violent but socially sanctioned traffic in women. The women, like the concubine in Judges 19, are voiceless (Niditch, 2008, p. 208).

Judges 21 describes an event where a society is created and maintained through the exchange of women. Lillian Klein, in her book *The Triumph of Irony in the Book of Judges*, sees a downward spiral of moral and social collapse in Israel, a disintegration that follows upon Israel's separation from God. Klein observes that "the book of Judges does not resolve it devolves in disorder" (Klein, 1989, p.190).

So we see how the process of reconciliation begins in Judges 21. In Jdg 21:1 the Israelites recall that they made an oath not to give their daughters to the Benjaminites, and at the same time they realize that the Benjaminites would wane as a tribe unless they had wives. In verse 3, the Israelites cry out to God and weep resentfully, but God remains silent. In reaction to God's silence, the Israelites build an altar and offer burnt offerings. They wait on God, and fail to see their own responsibility for the near-elimination of the tribe (Klein, 1989, p.187). Klein (1989:187) adds that the Israelites seek to find a loophole by which they need not to break the vow they made, but at the same time may provide women for the 600 remaining Benjaminites.

The Israelites first looked whether there was any group who did not gather for the battle against Gibeah. When they discovered that nobody from Jabesh-Gilead came, the Israelites completely destroyed everyone from Jabesh-Gilead, apart from the four hundred virgins. These four hundred virgins were then given to be wives to the Benjaminites. However, these four hundred virgins were not enough, and therefore the Israelites gave the

men of Benjamin permission to kidnap virgins at a yearly festival at Shiloh. They justify this action by stealing the virgins, which means the fathers did not freely give as brides, thus not breaking the oath.

As seen earlier in Judges 19, the reader may observe that to be outside is a dangerous place for women. Such a perception pertains to the rape myths discussed earlier in Chapter 2. Victims of rape are often questioned about their whereabouts. Also Mieke Bal asserts that the narrative in Judges 21 would appear to suggest that once a woman stepped out of the safety of her home she in effect becomes public property, which in return suggests that men can do with her as they please (Bal, 1988, p. 216).

The women in the narrative of Judges 21 are kidnapped and raped and throughout the ordeal they are given no voice by the narrator to object. Susan Niditch (2008, p. 210) refers to these women as sacrificial offerings which are needed to reconcile the men of Benjamin with the men of Israel. Even though the narrative does not give a voice to the women, it is even more important for the reader to do so. Women must not be portrayed as powerless and passive victims. As Elisabeth Schüssler-Fiorenza (2001, p. 157) similarly asserts,

“Stories are never just descriptive but always also prescriptive. Hence they must be analysed not only for what they tell but also for what they presume to pass over in silence ... We must search for the submerged and untold part of the story, its inscribed contradictions, silences, and persuasive strategy.”

Indeed, the Bible has been described as a dangerous book with reference to violence against women. Patriarchal readings, which oppress women, have condemned women to lives of misery (Wanjiru and Chitando, 2013, p.245). This point has been put forward by Sarojini Nadar when she asserts:

“The patriarchal Bible silences the voices of women, whether as victims of rape or as agents in their own right. We do not hear their voices. Everything about women is filtered through the voice of the narrator, who is male (Nadar, 2006, p.78).

In the next session of this chapter I will show how new perspectives on the Rape of the Concubine emerge if it is read through the theoretical lens of Rape as Torture. In so

doing, I will show that when we read through the theoretical lens of rape as torture the true horror of the narrative will be heard and the concubine will no longer be voiceless.

6. RAPE AS TORTURE IN JUDGES 19-21

The literary analysis above has shown that the text was constructed to give power to one gender over another, males consequently disempowering females. It also illustrates the oppressiveness of patriarchy, where violence is used as a way of communicating and where men disregard the welfare of women. A narrative criticism of the text also shows the consequences of patriarchy and moreover the dire consequences of the acceptance of rape.

The narrative of the rape of the Levite's concubine and the events that follow calls for a shared response to rape. In the next section, I will interpret Judges 19-21 through the theoretical lens of Rape as Torture as discussed in Chapter 2 of this thesis. While several Biblical interpreters have investigated the violence against women in this narrative, I am of the opinion that it is essential to realize that the concubine was not just raped, but that she is the victim of the most appalling torture. Furthermore, it is important to realize that the women in Judges 21 were not merely taken, but also raped. I propose that important insights regarding the reality and the nature of rape both in the biblical text as well as in our contemporary contexts emerge if one reframes the conversation regarding rape in terms of torture.

a) The Trauma the concubine endured

As discussed in Chapter 2 of this thesis, Scarry (1985, p. 49) explains how the victims of torture lose their voice. In a similar way, rape silences survivors. The humiliation that a person suffers through rape and torture alike has the effect of stripping away her dignity-in a sense destructing the victim's personhood. J. H. Coetzee states that without a voice or a name, only the physical body of the victim serves to speak for her (Coetzee, 2002, p. 52). In the case of sexual violence, many survivors refer to the rape as a death of the self. The objectification of a victim's body renders the victim helpless and temporarily feeling as if their personhood was taken away.

In the case of the concubine, it was not only when she was alive that she suffered through the destruction of her personhood, but also after, when she was cut up into pieces. The dismemberment of the concubine erased all evidence of her personhood and deprived her of her dignity. Mieke Bal rightly asserts that “it is as if the man is trying, in overdoing the violence already done to her, retrospectively to affirm his mastery, as against the mastery of the rapist, over her” (Bal, 1988, p. 126).

Further adding to this point, Karla Bohmbach says the following:

“The woman’s relative non-presence in verses 10–15 is affected additionally by the fact that she has no name and no voice, either in this episode, or elsewhere in Judges 19. In having no voice, though, she ends up standing in sharp contrast to the male characters, all of whom talk at some point in the story.” (Bohmbach, 1999, p. 88)

Living in a patriarchal society, the personhood of any woman is already in question. All the relations in the text are socially constructed to give power to one gender, male, consequently disempowering females. Males in the passage have the power to speak, to be heard, to make decisions, to implement them and to lead. Women on the other hand are denied speech, power and their point of view is also suppressed. In the face of the enormity of the crisis of gender violence reflected in the text, the silence of the concubine is deadly. In all the conversations in Judges 19-21, the women are denied speech and decision making over their lives. After the rape, the Levite’s concubine had been abused to the point that she could not speak either because of excessive pain or the fact that she was raped till death. With reference to the personhood of the concubine Tribble describes her as follow:

“Of all the characters in Scripture, she is the least. Appearing at the beginning and close of a story that rapes her, she is alone in a world of men. Neither the other characters nor the narrator recognises her humanity. She is property, object, tool and literary device. Without name, speech, or power, she has no friends to aid her in life or mourn in her death. Passing her back and forth among themselves, the men of Israel have obliterated her totally” (Tribble, 1984, pp. 80-81).

When examining Biblical texts, it is often through violent behaviour that ancient Israelites not only reaffirmed personhood, but also took personhood away. There is a strong relationship between conceptions of physical violence and personhood. In the case of the concubine in Judges 19, violence was used to remove the personhood of the woman while simultaneously creating and reinforcing the dominant status of aggressors.

Also in Chapter 2 of this thesis, I referred to Louise du Toit who states that both rape and torture is a traumatic event. Rape, as with torture victims experience that their existence are torn apart, along with their voice, their story and their bodily autonomy.

Judges 19:25 portrays the Levite's concubine as having been raped rather than willingly engaging in a sexual act, and yet her body is treated like that of an animal by her own husband. The use of the Hebrew root *nth* in the narrative (v. 29) – a verb also used elsewhere in the Hebrew Bible to refer to the cutting up of animal bodies – emphasises the animalizing nature of the husband's action. In addition, the men in the town and even the old man in whose house she and her husband were staying treat her as a subject completely lacking in agency or social significance.

In verses 25-28, the narrator makes it very clear that the concubine was not only tortured for a short time, but "all through the night until the morning." Moreover, the narrator states that it is not until the dawn begins to break that the woman is released. Verse 26 has two more references to time passing slowly. The concubine is released at dawn, and "as morning appeared" she fell down at the door of the old man's house and lay there "until it was light." Again in verse 27, it is only "in the morning" when the Levite eventually leaves the house that the concubine is found. These five sequential references emphasizes the length of time that the concubine endured the mob, but also the long and agonizing wait from the time she is released until the time that the Levite discovers her.

Recently, Janelle Stanley, reading the story through the lens of psychology, has called Judges 19-21 a "text of trauma," containing many of the distinguishing patterns therapists have identified when survivors tell stories of their own traumatic experiences. Stanley argues that there are a number of aspects of Judges that carry markers of trauma. In defining trauma she states that "the nature of trauma is that it overwhelms our coping mechanisms. Trauma is experienced as life-threatening. It threatens our psychological and or physical existence. The curve of this traumatic narrative shares the following symptoms with trauma itself: dissociation, fragmentation and repetition compulsion (Stanley, 2013, p. 275).

This is not only true of the subject of the narrative, but also the manner in which the story is told. In the beginning of this narrative there are clues that what will follow could be a

traumatic event. The writer of Judges informs the reader that there was no king in Israel and that every man did what was right in his own eyes. The book of Judges uses the exact phrase numerous times, and in all the instances it foretells of calamitous circumstances like theft, idolatry, defilement and a finally a massacre.

Stanley (2013, p. 277) moreover explains that dissociation is the first common response to trauma. The effect of dissociation is however not limited to the duration of the event but can also continue after the event. In the narrative of Judges the reader discerns dissociation by the fact that none of the characters are named. Stanley (2013:281) comments that it is not unusual for a woman to be nameless in the Hebrew Bible, but it is remarkable that the Levite is unnamed. The fact that the characters all remain nameless throughout Judges 19-21 is clearly a narrative device (Brenner, 1993, p.12). The reader is meant to dissociate from the characters and also from the horrific rape narrative.

Repetition compulsion is another symptom of trauma. According to Stanley (2013, p. 278) this symptom of trauma is an attempt by the psyche to experience a different outcome of a specific traumatic event. Repetition manifests itself early on in Judges 19-21 that has the function of warning the reader that this is going to be a traumatic text. The phrase “the father of the young woman” is repeated six times. In addition to the repetition of this phrase, certain events are also being repeated. The Levite attempts to leave the father’s house four times, and four times does the father convince him to stay. Phyllis Tribble also points to the repetition in the text in the second part of Judges. She notes that the Levite repeats almost exactly what the narrator said in verse 15 (Tribble, 1984, p.21).

With reference to the gang rape itself, Stanley (2013, p. 285) comments on the brevity of the event that is also considered to be a key characteristic of a traumatic event. The narrator spends 24 verses to describe in detail the travels of the Levite, and then describes the horrific rape of the concubine in a single verse. As Stanley formulates it: “Trauma narratives that recount extraordinary detail leading up to the traumatic event suddenly find that words cannot encompass the enormity of what happened at the actual event” (Stanley, 2013, p. 285).

Verse 29 furthermore speaks to the fragmentation of trauma. In verse 29, the body of the concubine is physically fragmented into twelve pieces, and then fragmented further

when her body is dispersed over Israel. In order to stop the fragmentation from continuing further, Stanley (2013, p. 288) compels the reader to tell the story of the concubine. She adds that we are not only meant to read the story of the concubine but to let the account enter our hearts and to discuss it.

b. False motive

In Chapter 2 of this thesis, I compared torture with rape, stating that both acts hide behind a false motive. The torturer is attempting to gather information, portraying himself as the vulnerable party with a desperate need that only the victim can fulfil.

In the case of the Levite, the reader senses that the Levite hides behind a false motive. Firstly, the Levite is portrayed as a near victim of homosexual rape, which renders him as the vulnerable party. In Jdg 20:4-7, the Levite's account of the story omits the fact that the mob threatened to rape him, as well as also his own involvement in the concubine's death. However, in verse 5 the conceited attitude of the Levite is revealed. "And the men of Gibeah rose against me, and surrounded the house at night because of me. They intended to kill me, but instead they ravished my concubine so that she died" (Jdg 20:5). In this statement the Levite neither mentions the fact that the mob wanted to rape him nor that it was him who had cast out his concubine.

In the second instance, the Levite claims to dismember the body of the concubine as an act of revenge towards the rapist of the concubine. I propose that the Levite hides behind the false motive of his own revenge, and that it has nothing to do with the rape of the concubine.

As I have discussed earlier in this chapter, women in the Biblical patriarchal societies were regarded as the property of men. Firstly, women were the property of their fathers and after marriage, the property of their husband. It is because of this claim to possessing the wife, which I argue that the Levite is hiding behind a false motive of anger towards the men who hurt his concubine.

In terms of a first reading of the text, the Levite mistakenly may be seen to avenge the rapist of the concubine because of the love he has for her. This kind of reading would then portray the Levite as a romantic husband protecting his wife.

Because women were thought of as the property of men, the rape of the concubine is not seen as attack against the concubine, but rather a personal attack against the Levite. The Levite's right to sole sexual access to his concubine has been violated, and therefore she was no longer regarded as valued property. For this reason, I argue that the Levite is dismembering the body of the concubine for selfish reasons. The rape of the concubine was a crime against the Levite and not a crime against the concubine.

c. The Performance of the Rape

In terms of Elaine Scarry's description of torture, she places the phenomenon of torture in the context of the making and unmaking of the world. Scarry states that torture is employed to make the world of the torturer and unmake the world of the prisoner, and this process is interrelated (Du Toit, 2005, p. 266).

Louise du Toit states that the theatrical structure of gang rape reminds us of the torture's cinematic nature (Du Toit, 2003, p.54). As already explained in Chapter 2 of this thesis, rape can be compared to a theatre production. The woman's body represents the stage and the props, and she is in opposition of the protagonist, the rapist.

In Judges 19 we can clearly see how the rape of the concubine is a theatrical performance with the body of the concubine representing the stage. The body of the concubine is the stage and props, and the mob of men being the protagonist. I suggest that the Levite, the host, the daughter of the host and the reader of the text all represents the audience of production creating a spectacle of power. In the narrative it is as if the audience are viewing a production.

d. The Fear of the women

Alice Bach writes that rape is a weapon to reassert power over an enemy and that rape is used to create fear in women (Bach, 1999, p.143). Fear sometimes reflects as the fear of being killed or mutilated, but fear with regards to rape is also the fear of losing control of your life. In the biblical narratives, women never have control over their bodies or over their lives. In Judges 19, we see how the concubine's body is pushed out of a door to angry mob that is waiting to rape her.

In a chapter called “The female fear factory”, Pumla Gqola writes the following concerning women and fear:

“The threat of rape is an effective way to remind women that they are not safe and that their bodies are not entirely theirs. It is an exercise in power that communicates that the man creating fear has power over the woman who is the target of his attention; it also teaches women who witness it about their vulnerability either through reminding them of their own previous fear or showing them that it could happen to them next. It is an effective way to keep women in check and often results in women curtailing their movement in a physical and psychological manner” (Gqola, 2015, p. 79).

With reference to the concubine in the narrative of Judges 19, we see aspects of the description of fear by Gqola reflected in the narrative of the rape of the concubine. Firstly, Gqola states that the threat of rape reminds women that they are not safe and their bodies not their property. It is clear that the concubine in Judges 19 realizes that her body is not hers, when she is pushed out of the door to the hands of the mob waiting outside. It also illustrates the fact that the man is the one with the power. Secondly, Gqola states that it teaches women who witness the sexual violation of another woman about their own vulnerability. The concubine was not the only female in the story. The host of the house also has a virgin daughter, who he offers to the mob. Undoubtedly, the terrorizing scene this young daughter witnessed, reminded her that she is equally vulnerable, equally powerless and that it could happen to her too, effectively keeping her in her place. The virgin daughter will without a doubt never question the authority of any man.

Thus, on a larger scale, the rape scene in Judges 19, reminds women in general of their defencelessness. Furthermore, Gqola also adds that “the manufacture of female fear works to silence women by reminding us of our rapability, and therefore blackmails us to keep ourselves in check” (Gqola, 2015, p. 79).

The lack of remorse by the Levite and the host contribute to a context where the life of a woman is seen as undervalued, and because of this context, fear becomes the shadow that accompanies women then and now into spaces.

According to Gqola (2015, p. 92), fear is also concerned with regulating women’s movement, sexuality and behaviour. This description of fear is evident in the rape narrative of Judges 19 and consequently in Judges 21. Neither the concubine in Judges 19, nor the

women in Judges 21 had a say in their fate. The only choice they had was to submissively accept what the men wanted.

e. The voicelessness of the concubine

Rape has the ability to take away a woman's voice by silencing her. In a forceful display of the abuse of power, the rapist silences her to become a mere object without any subjectivity or will. After the initial rape she is silenced once again by the community's perception and response to rape victims. Finally, she is silenced by the legal system, who undoubtedly will paint her to be the perpetrator. The silence adds another layer to the horror that the woman already endured. The silence that surrounds rape has vast effects on the understanding of rape victims and therefore the process of restoring dignity to the survivors of rape. As Elizabeth Porter (2007, p. 135) rightly states, often those who feel powerless, shamed, or without a voice do not have the opportunity to break the silence.

According to Jenni Williams, there are two functions for silence in the narrative of Judges namely dissent and withdrawal. Williams argues that the silence of the text translates into the disapproval of the narrator. Phyllis Tribble opposes the opinion of Williams and argues that the silence speaks of the complicity of the Levite (Williams, 2007, pp. 31-33). However, silence in a text can also be a premeditated tactic of withdrawal. In this regard, Williams argues that the narrator is silent because he is withdrawn from the event, and therefore he does not agree with what is happening to the concubine.

In Judges 19, the silence of the concubine is so omnipresent and invasive that the reader cannot help but to take note of it. From the introduction of the concubine to her brutal death, she never utters a word. Even when she is raped all through the night, the reader is not given so much of an utterance. The voicelessness of the concubine moreover calls to mind the voicelessness of rape victims throughout history.

It is within these silences that Nthabiseng Motsemme insists that the reader need to read the silences not as absences but as spaces rich with meaning. In asking why these silences exists in the first place, why they are forced and not chosen, by whom they are created, lies a wealth of knowledge (cited in Gqola, 2015, p.171).

As readers and believers of Scripture, it is crucial to ask why the concubine is silent. A simple answer would be that she was not silent. She probably protested when she was pushed out of the door. Her gut wrenching screams probably would have lingered through the night, until she had no voice left to scream. Instead of reading that, we only read one verse that describes the rape, that the mob knew her and abused her. It is important to re-read the narrative of Judges 19-21 through the theoretical lens of rape as Torture, because in doing so, we would give the concubine a voice.

f. Rape, Torture and Terror

Several biblical interpreters have compared the mass rape of women in Judges 21 to the ethnic genocide in Rwanda³¹ and Bosnia³² (Bach, 1999, p. 144). Bach notes that the silence about the women in Judges 21 is as loud of as the silence of the women themselves. According to the Amnesty International, the use of rape during war cannot be described as a by-product of war, but a pre-planned and calculated military tactic (Smith-Spark, 2012).

In this regard, Carole Sheffield argues that “violence and its corollary, fear, serve to terrorize females and to maintain the patriarchal definition of a woman’s place (Sheffield, 2007, p. 111). We see this vividly illustrated in Judges 19-21 when Tribble rightly points out “the rape of one has become the rape of six hundred” (Tribble, 1984, p.83). Adding to this, Tribble (1984, p. 4) also states that the narratives of the women in Judges echo terror.

Adding to these viewpoints, Catherine MacKinnon asserts that war rape aims to annihilate an entire group of people through the sexual violation of its women. Also Susan

³¹ In 1994, 800 000 men, women and children died in the Rwandan Genocide. Over the course of a hundred days between 250 000 and 300 000 women were raped and up to 20 000 children were born as a result of rape. More than 67% of women who were raped during this time were infected with HIV and AIDS. In many cases, this resulted from a systematic and planned use of the genocide (www.survivors-fund.org.uk/rwandan-history)

During the Bosnian genocide the number of women raped ranges from 12 000 to 50 000. The Serb forces set up “rape camps”, where women were repeatedly raped and only released after being impregnated.

³² In her book *Sacred Witness*, Susanne Scholz also compares the Rape in Judges 21 to that of the Rape of several women in Bosnia (Scholz, 2010, p. 135).

Brownmiller in her influential work on *Men, Women and Rape*, writes that rape has existed alongside wars and that rape has been used as a weapon of terror and revenge. In her introduction to the book, she quotes General George S Patton³³ who said “Unquestionably there shall be some raping (Brownmiller, 1975, p. 31).

During the genocides in Rwanda and Bosnia, as well as in the narrative of Judges 21, the women were taken by men to fulfil their needs. With reference to the genocides in Bosnia and Rwanda, rape is frequently used as a means of psychological warfare, to humiliate the enemy, to dominate or to instil fear.

In Judges 21 the reader is also introduced to a civil war. The narrative in Judges 21 is usually not interpreted as a gang rape, but rather as women being taken. As with the genocides in Rwanda and Bosnia, the men in Judges 21 had a need. They needed women to ensure that their tribe will survive. The women were thus taken without consent and therefore we can conclude that the women in Judges 21 were in fact raped. In the first instance the men took 400 virgin girls, but the men realised they needed more women. The Israelites knew there were going to be a festival; they proceeded to hide in the bushes until the girls came out to dance. When the girls arrived the remaining men were allowed to pick a virgin he liked and forced her into marrying her. Once again, the women in the narrative have no choice or voice.

I named this current section “Rape, Torture and Terror,” because it is important to see that if rape is not seen as torture, it will become terror. Scripture paints a picture of how women are treated in patriarchal societies, if we do not change our vocabulary about rape, the terror will never end.

7. CONCLUSION

Although the Biblical text is a powerful source of inspiration for many believers all around the world, it also contains passages that depict unspeakable gender-based violence, thus falling short from the goal of bringing healing or empowerment to women. In texts of terror

³³ General George Patton led the Third Army in a successful sweep across France during World War II.

like the one told in Judges 19-21, the Bible seems to be complicit to the abuse that many women had to endure in patriarchal society. Till this day, the Bible quite often has been used against women and reinforced the patriarchal mindset of many contemporary cultures.

A reading of Judges 19-21 through the theoretical lens of Rape as Torture recognizes that patriarchy permeates the past and present. It draws the reader's attention on the persecuted woman and it sees the concubine's namelessness as related to all women who suffer sexual violence. Therefore, the silence of the concubine is heard by all women who suffered through gender violence and rape. As Cheryl Kirk-Duggan rightly states "We need to hear women's voices, and make sure that alternate perspectives that include women's views in the story are lifted from the text" (Kirk-Duggan, 2013, p. 84.)

As one can clearly see by the statistics mentioned in Chapter 1, or by watching the daily news, women are still captured, betrayed, raped, tortured and killed. Phyllis Tribble (1984, p. 66) contends that to take to heart this narrative, we must confess the present reality. In the next chapter, I will not only confess the present reality, but initiate a way to create a platform for young people to be educated about gender violence.

Chapter 4

Pedagogical Tools for Addressing Gender-Based Violence in South African Schools

“However, we ignore sexual violence among youngsters at our peril; it will come back to haunt the whole society unless we work to expose it, teach about it, and eradicate it.” (Stein, 2007, p.331)

1. INTRODUCTION

Schools ought to be an environment for safe learning, offering an education and an opportunity to instil respect for human rights. However, as Burton (2008, p. xi) rightly points out “there is increasing concern within South Africa that primary and secondary schools are the sites of widespread violence.” According to research done by the Human Rights Watch (2001) one of the most fundamental challenges to learning for many learners is the risk of violence at school. These research studies illustrate that teenage girls are predominantly susceptible to gender-based violence in the school environment (Haffejee, 2006: Wood & Jewkes, 1998).

The tolerance of gender-based violence in South African schools is a grave form of discrimination that compromises the educational opportunities especially for girls. It is girls in particular who are the ones suffering from sexual violence and harassment in schools. School girls in South Africa on a regular basis are assaulted, sexually harassed, abused and even raped by their classmates and in certain instances also by their educators.

Gender violence associated with school often results in absence from school as learners become too fearful to attend or students try to avoid going to school in an attempt to avoid the possibility of violence. This is predominantly important in a country where the completion rate for learners from Grade R through to Grade 12 is less than 50%. Related to this – and often precipitating school drop-out – is that school violence often results in a decrease in educational performance as victims battle to focus on content and on their school work in general (Burton, 2012, p.4). In addition to the emotional and physical

consequences of sexual violence, it can also disrupt the education of students, because sexual violence often leads to absenteeism, underperformance and early drop out (Human Rights Watch, 2001). As a result, sexual violence in schools will have definite social and economic consequences in South Africa as the victims of sexual violence will have less opportunity to be economically independent.

As I have argued in Chapter 1 of this thesis, there are many causes of sexual violence; however the main cause can be described as unequal power dynamics between men and women. Abuse of power manifests itself in all aspects of society: at work, on the street and also in schools. Because of this, women, and specifically female learners have less control over their lives and in their relationships, and lower status in society (Jewkes, Sen, & Garcia-Moreno, 2002). Thus, unequal gender norms may translate into lower levels of education, low social and legal support for women, and lack of economic power (Jewkes, 2002). This makes female students in particular vulnerable to sexual violence in the school environment.

In 1994, there has been an effort from the South African government to promote gender equality in education and so attempting to ensure equal opportunities for all students. Legislations such as the South African Schools Act, the Promotion of Equality and Prevention of Unfair Discrimination and the Employment Equity Act are all examples of such efforts. Yet, it seems that the increase of sexual harassment reports made by female students indicates that gender equality is not practiced in schools. Research points out that school violence is increasing regardless of the measures put in place to address the problem by the Department of Education (Fishbaugh, Berkeley & Schroth, 2003; Human Rights Commission, 2006). In this regard Fishbaugh et al. (2003, p. 19) write that, “both teachers and students appear justified in fearing for their own safety with the consequence that the learning process is stymied by the need to deal with unruly behaviours and to prevent serious episodes of aggression and violence”.

So how does one address this growing problem of gender-based violence in our schools? As a Religious Studies educator currently working in a school context, I believe that biblical literature can serve as an important pedagogical tool that strengthens our ability to confront sexual violence. This current chapter will, on the one hand, reflect on the challenges and opportunities of employing biblical narratives such as the story told in

Judges 19-21 in a school setting as means of creating awareness under both female and male students, and, on the other hand, contemplates other creative strategies for addressing gender-based violence in our schools.

2. EDUCATING AGAINST SEXUAL VIOLENCE

Through the course of this study, I have become convinced of the utmost necessity that schools reach young students with specifically designed programs that address sexual violence at an earlier stage before expectations and attitudes about gender relationships are well developed.

And yet, in spite of this conviction that South African schools ought to transform society's gendered standards and ideas, more often than not schools seem to mirror the very same gendered unequal ways of thinking and acting.

In addressing and attempting to eradicate gender violence in South African schools, a whole school approach involving school management, teachers, pupils and the curriculum is necessary to guarantee that the messages are constant and reinforced by teachers as well as students. Teachers have the tools to be the key instruments for change. However, teachers are also gendered beings and for teachers to be effective in teaching about sexual violence, they need to understand and confront their own attitudes and experiences relating to gender violence. Considering the fact that some teachers are perpetrators of abuse, and other teachers may be victims of abuse, it is imperative that strategies to address gender violence in schools recognize and address teachers' and pupils experiences alike, so that positive and joint relationships may be encouraged. It is clear that we need to acknowledge and also at the same time confront the problem of sexual violence in our country. In addition to acknowledging it, we need to employ actions in order to limit these injustices. Nan Stein suggests the following steps in the quest to eliminate sexual violence in schools.

Firstly, Stein (2007, p.229) argues that we ought to reconfigure the school violence prevention movement in order to acknowledge the presence of gendered violence in our schools. In addition, we must also bring attention to the constant increase of incidences of sexual assault of girls that are happening among children, by their classmates.

Secondly, Stein states that we need to equip witnesses and bystanders with

strategies for intervention: “The deleterious effects of being on the sidelines of these violent episodes or fearing that you might be the next should not be minimized, though it cannot be compared to the terror experienced by those who have been sexually assaulted” (Stein, 2007, p. 330). Stein suggests that we must give all people the tools to react to sexual violence. Any given person can be the witness to sexual violence and must therefore know which procedures to follow or how to react. This is especially true in the context of South African schools, because as a teacher you may be the only person that a victim of sexual violence will reach out to.

Thirdly, Stein argues that it is no longer sufficient to treat sexual violence symptomatically with an occasional discussion here and a videotape there. Stein adds that sexual violence is a systematic problem and therefore the solution must be systematic as well and to accomplish this, schools need to undertake a multipronged effort (Stein, 2005, p. 69).

I propose that a curriculum on gendered violence as proposed by Stein would include attention to the following important themes that may be helpful in addressing the prevalence of rape in our schools:

a) Teaching Gender

“Boys take in misogyny with their breakfast cereal. Mentors and peers show them that it won’t do to spend much time with girls and women. No boy wants to be told he throws like a girl or to go home to mama. When his teachers and his buddies tell him that girls are not only physically weaker but lack all the important virtues, including courage, strength, and rationality, why would he respect girls? It’s easy to move from thinking that women are inferior to treating them as inferiors” (Buchwald, 2005, p. 215).

It is believed that media plays a significant role in gender identity and the development of stereotypical ideals, but the truth of the matter is that teachers, parents, and peers also add to gender expectations (Wood & Reich, 2006). Educators would be well served by using feminist theory in order to address subjugation and gender concerns within schools by encouraging individual expression and acceptance.

In this regard the message of inferiority is deeply ingrained into the lives of girls and women. As with good advertising, the message is repeated until it becomes part of a

women's memory, and is believed to be true. South African girls grow up in an environment of gender-based pressure. From the time they enrol to grade R, until the time they matriculate, they have to endure gender prejudice. The question is however, what can parents and educators do to teach girls to resist sexual violence?

An important aspect would thus be to help girls to stop looking for approval in others. It is important that girls are taught at school that they are valuable and worthy, and that they hear from as many possible sources that their lives are important. Second, it is vital for educators to teach girls to be critical of the media who constantly teaches that being beautiful and seductive are qualities that society prizes in a woman. As Buchwald rightly states "The media portrayal of women prepares girls to become victims, just as surely as it teaches men to be comfortable perpetrators of violence (2005, p. 230).

Third, it is vitally important to help young girls to grow in their knowledge regarding their sexuality – the educator has the important responsibility of substituting sexual ignorance with sexual knowledge. As Gqola (2015, p. 76) rightly states " we need gender-transformative education that is not left in the classroom, but also alters how we parent, ensuring that it is the responsibility of everyone-not just women-to expose, disown and hold accountable those men who act violently towards women and children".

b) Teaching Masculinities

"Thus, work with boys on issues of gender and violence requires a focus on the ways in which violence, domination and oppression are implicated in the construction of an idealized masculinity" (Mills, 2001, p. 140).

The idealized representation of masculinity that Mills refers to above is signified by the traditional forms of work men do, the popular sports they play and the extent to which they can demonstrate control over women and also over other men. Mills argues that the reason why hegemonic masculinity is becoming such a problem is because the signifiers of masculinity work to justify violence, in a sense masculinity has been associated with violence and in return violence has been masculinised (Mills, 2001, p. 140). According to Thorne (1993), gender roles influence a person's identity from birth and get entrenched in our personality. This not only influences how we see ourselves, but also how we see and relate to other people. Raewyn Connell's (1995) work on masculinity, especially the notion

of hegemonic masculinity has added to the understanding of masculinities. Connell describes hegemonic masculinity as a “configuration of gender practice which embodies the currently accepted answer to the problem of the legitimacy of patriarchy, which guarantees the dominant position of men and the subordination of woman’ (Connell, 1995, p. 77). Connell’s theory is built on the hierarchical understanding of gender, where men situate themselves in relation to each other and in relation to hegemonic standards of gender.

It is clear from teaching and reading the newspapers that school boys in South Africa has a much distorted view on masculinity. One example that demonstrates something of this view regards the February 2015 incident at Jan Kempdorp High School in the Northern Cape when a black school boy was tied to a steel bed and raped with a broomstick by six white boys. The boys were between the ages of 14 and 19-years-old. The attackers shaved the boy’s head and painted him white, while the other boys in the room watched and laughed. Pumla Gqola writes the following about the incident:

“The Jan Kempdorp incident illustrates that much is wrong with the culture of masculinity, and the pressure to be violent among young people. It also shows the extent of racialised, gendered masculine culture in parts of our society. In a country where violent masculinities cross boundaries of race, but where some forms of violent expression are more likely to be performed by some men rather than others, it is clear that boys and young men are not safe” (Gqola, 2015, p.132).

Along with teaching masculinities, I suggest that it is also important to teach young boys that men can also be involved in preventing gender violence. Jackson Katz (2006:465) suggests a number of actions that men can embrace to actively prevent gendered violence. Some of these strategies are also applicable to young boys as well. Katz suggests that people should approach gender violence as a men’s issue, which must involve men of all ages. Men must be empowered to be bystanders who can confront abusive peers. Speaking from my own experience in the class room, it is evident that young boys are not equipped to speak out about gender violence. Often in my classes, a boy will call a girl a derogatory name, which will invite laughter from the rest of the class. Instead of just demanding silence from the class, a teacher should explain why this kind of behaviour can ultimately be linked with gendered violence.

Katz (2006, p. 465) also adds that men must refuse to fund sexism. This can be a difficult task for an educator, but is of the utmost importance. It is important for young boys to understand that gender violence is born from any media that portrays girl as sexually degrading, not only pornography. It is imperative to analyse advertisements, men's magazines, songs and television programmes alike.

Martin Mills argues that males, especially male teachers must work with boys on gender issues from a pro-feminist perspective. A pro-feminist perspective is based on the principle that it is the responsibility of men to tackle those issues which are the source of their own privilege as well as other males (Mills, 2001, p. 106). He adds that pro-feminist teaching is based on the premise that suggests the current gender relations of power favours boys interests over those of girls.

c) Teaching against Rape

The first step in educating young minds about rape is to teach awareness regarding the language of rape. In addition to the above-mentioned strategies for teaching against rape, I believe it is important to also teach students about the reality of rape by means of popular culture. There many lot of young, contemporary South Africans who are joining the fight against gender violence. One such example is Karen Zoid, who wrote a song about Anene Booysen, a 17-year-old girl from Bredasdorp who on 2 February 2013 was gang-raped and died later the same day. With the lyrics she calls for justice for the victim.

"We are sheep, tortured in the night.
Nkosi Sikelel' in Rugby we unite.
Just another day, just another report of a girl.
Just another day in the rape capital of the world.
Justice, justice, I don't see.
Lock away the rapists and throw away the key.
Justice, justice come to me.
Tell me how do you wrong the right?
Now you have the number how do you sleep at night?
Just another day, just another report.
Just another day, we pretend that it is invisible.
Let us never forget. Let us never forget.

Anene. Remember Anene.”

(Karen Zoid, *Drown out the Noise*³⁴, 2015)

Educators can use songs like these to recall the event that happened to Anene Booysen and engage in dialogue with the learners. Anene Booysen’s friend was reported saying that “Dit kan met enige een van ons nou gebeur. Dit was vir ons kinders ‘n voorbeeld vir ons dat ons nie so laat loop nie” [It can happen to any one of us. The incident was an example for us not to walk around late at night]. (*Mail and Guardian*, 11 February 2013). Instead of being mortified by the rape of a friend, Anene’s friend indirectly says that her friend was not careful enough and therefore she got raped. After the rape of Anene Booysen, the public blamed several people. Anene herself was blamed for being at the wrong place at the wrong time. She was also blamed for going out late at night drinking. Others argued that brutality like that is caused by poverty. Some people blamed her parents and her foster parents. People even blamed the community that allowed the rape to happen. Everybody was blamed for the rape, besides the men who raped her (Gqoba, 2015, p. 86).

Responses like the ones mentioned above can be used to teach learners that rape myths add to the prevalence of rape and also the acceptance of rape. If we teach rape as torture, and when people start to understand that all rape is indeed torture, then people will understand that nobody looks to be raped, nobody deserves to be raped and it is not the rape victims fault in any degree.

3. TOOLS FOR THE TRADE: LITERATURE AS PEDAGOGICAL TOOLS

Narratives have the power to illuminate a social problem and create social change. When we break the silence and name issues that have gone unnoticed, we can effect change (Reviere, 2007, p. 5).

In this section, I will show how educators can use literature as pedagogical tools to teach students about gender-based violence. Teachers understand all too well the power of fiction in order to affect change. So, feminist researchers in particular have shown that

³⁴The CD *Drown at the Noise* was released in 2015 by Karen Zoid.

fiction can be used to deconstruct social meanings and values about gender and gender violence.

By means of illustration, I will introduce three contemporary stories that may serve as a conversation starter to help see students the reality of rape, to gain theoretical perspectives to understand rape and to empower students to resist rape and in this way transform a rape culture by means of educating on gender based violence. Studying stories of violence against women can allow students to discuss probable causes and effects of violence against women.

***a) Karoo Moose by Lara Foot Newton*³⁵**

The play *Karoo Moose*, which has been workshopped and created by director, Lara Foot Newton, tells the story of two families, with the focus on the life of a young girl, Thozama. Thozama lives with her grandmother, Grace and her two younger siblings in a remote town in the Karoo. Thozama's father, Jonas Vilakazi, is an absentee father, which introduces one of the underlying themes of the play, i.e. the absence of the father figure in Africa's households.

The other family in the play is the Van Wyk household. Mrs van Wyk lives with her son, Brian. Mr van Wyk is in an institution and we later learn that Brian's sister committed suicide, because she could not overcome the fact that her father repeatedly raped her. Grace, the grandmother in the first family, works as a domestic worker in the Van Wyk household and so Newton links the two households, making us aware of the prevalence of social problems in both families regardless of race or social class

The father in the story, Jonas is shown as drinking and smoking dagga with his friends. When he loses a bet on a soccer game, he does not have money and gives up his daughter, Thozama, as a settling prize. One of Jonas' friends Khola then proceeds to rape

³⁵ Lara Foot Newton is a South African Theatre Director, producer and playwright. Her critically acclaimed *Karoo Moose* has won 14 awards. She is the first female Chief Executive of the Baxter theatre in Cape Town. She has been recognised nationally and internationally for her unique vision and the courage that she approaches her work with.

Thozama. The response of the grandmother, Grace is to wash her grandchild and tell her that she is a woman now.

The story continues with Thozama falling pregnant with Khola's baby and with Khola later also raping Thozama's sister, Quinnie. When Thozama subverts the traditional norm and humiliate Khola in front of the locals, Khola reacts in the most shocking way by raping Thozama's baby, his own child.

This disturbing play is one of the prescribed texts for Dramatic Arts in Grade 11 of the South African school system. It serves as the ideal platform to cultivate conversation on heated topics like rape, gender roles, masculinity and the patriarchal system. In my classes, I have found that learners typically respond with outrage to this play, becoming furious with the character Jonas and the fact that Grace merely pretends that the acts of sexual violence in her house are not happening.

Students typically ask questions regarding the reason for rape which thus create the ideal opportunity to re-teach students on the reality of rape in South Africa by utilizing some of the theoretical perspectives included in this thesis. In particular, it is helpful to draw students' attention to the way gender roles functions in this play. For instance, Khola rapes Thozama's baby only after she humiliates him in front of the villagers, thus reclaiming his power as the dominant party. The fact that the Van Wyk family never speaks about what had happened in their household, furthermore demonstrates the issue of shame surrounding rape within the family context which is responsible for the fact that so many victims are suffering without justice.

Thozama asks her grandmother whether Mrs van Wyk ever speaks about her daughter. Grace responds by saying, "No, we pretend it didn't happen." Thozama then utters the extremely important response, "But it did" (Foot Newton, 2009, p. 28).

The power of *Karoo Moose* lies in the structure of the text. Learners will spontaneously start to question the values portrayed in the story and thus creating their own platform and ideal circumstances to educate the youth about these social issues within the context of the South African classroom.

b) *Tshepang* by Lara Foot Newton

Tshepang is a play that is inspired by the shocking true story of the rape of a nine month old baby. On 26 October 2011 a nine-month old girl was raped at her home in Uppington while her sixteen-year old mother allegedly was at the store. The girl suffered serious injuries and was transported to the Kimberley hospital where she underwent surgery. The Northern Cape Member of the Executive Committee for Safety and security, Connie Seoposengwe named the girl “Baby Tshepang” which translates into “Have Hope”. At first it was thought that six drunken men had gang-raped her, but it was later revealed that they were innocent and that the rapist was the mother’s current boyfriend. The epigraph, “Based on twenty thousand true stories,” shows the audience that the play *Tshepang* represents just one of twenty thousand stories per year.

Laura Foot Newton humanizes the baby Tshepang story, by portraying the characters in the play as normal people and not monsters. In the play, the raping of baby Tshepang is symbolized by Simon thrusting a broken broom handle into a loaf of bread. This specific scene in particular effects students and emphasizes just how brutal and torturous rape is.

As with the story of the Levite’s concubine in Judges 19, Ruth the mother of Tsepang, remains silent throughout the entire play, except for the very last words of the play, that she softly murmurs the name of her baby. Throughout the play, Ruth can be seen as sitting on a pile of salt, which she rubs into the animal skins.

Tshepang is a useful pedagogical tool in order to teach rape in schools, because Newton challenges the audience with the repetitive statement “nothing ever happens here”. It is clear that terrible things have happened in the town, but the nothingness that she refers to is the consciousness of the people. In the play, this apathy is portrayed by the prostitute who witnesses the rape, but does nothing about it. At the same time, the phrase “nothing ever happens here” indicts everybody who watches the play and who turns a blind eye to rape and gender-based violence.

c) Dis Ek, Anna

Dis Ek, Anna has been prescribed in Afrikaans schools for quite some time. The book, written by Anchien Troskie, writing as Elbie Lotter that examines the devastating effects of sexual abuse is based on a true story and recently was developed into a film with the same title (October 2015).

In this story, the main character calls herself “Silent Anna,” because she could not tell anyone that her stepfather raped her. The film was directed with the intention to break the silence around rape.

The film starts with Anna shooting her stepfather, a successful business man in cold blood. By employing flashbacks, the movie unpacks the emotional trauma that Anna had to endure at the hands of her stepfather who raped her two to three times a week. Later in the movie, the viewer learns that Anna told her pastor about the rape, but he did not believe her, saying that Anna must be careful about making up stories about people. During the trial, Anna’s mother also admits to knowing about the rape, but remaining silent because she loved her husband. Anna endured the abuse, until it happened to her younger sister. When she realised her stepfather is also abusing her sister, his daughter, Anna confronts her stepfather and her mother, saying that the baby she is carrying belongs to her stepfather. Her mother accuses her of being a whore and tells her to leave.

Anna moves out of the house and continues with her life until her sister shows up her door, blaming her for not protecting her from her father. That night her sister overdoses on sleeping pills. Anna is devastated by this event that pushes her over the edge. She returns home to shoot her father.

The movie consists of three parts, the life of Anna, the trial, and a subplot that follows a case in which a man rapes a baby. The police officer responsible for Anna’s case is also involved with investigating the rape of the baby. This narrative strategy is a very effective tool, because initially the officer does not show any empathy towards Anna, treating her like a criminal. In contrast to this, the rape of the baby shakes his entire world. However, towards the end of the movie, the police man returns to Anna, thanking her, and the viewer can see that the man does not distinguish between the two cases anymore.

Dis Ek, Anna has the opportunity to create spaces in the school curriculum to discuss rape and to illustrate that rape is torture. The movie contains many of the aspects that I used in this thesis in comparing rape with torture.

So we see how trauma is shown in the movie in a multitude of ways. Firstly, the viewer can see how traumatic the act of rape is for Anna, not only on a physical level, but also emotional. Secondly, the false motive of the step-father can be seen in his relationship with the family. He tells Anna that he is looking after the family and therefore she must do as he says. Later in the film, Anna portrayed as a teenager, goes out with a boy for the first time and arrives after the set curfew. Her step-father awaits her arrival and beats the boy. The stepfather is livid, saying that the mother is not strict enough and that Anna is turning into slut. All the time though, the father is hiding behind the false motive of jealousy.

The aspect of performance is illustrated well by the use of Anna's body. Her world is unmade in a sense and she does not lead a "normal" life. Fear is a recurring theme in *Dis Ek, Anna*. As a girl, she is scared to go to bed at night, because she never knows when he will come. As an adult she is scared of men, she tells the lawyer that she has never had "normal" sex with a man. This statement also opens up the floor for a discussion on rape as sex as oppose to rape as power.

Voicelessness permeates the entire movie, from Anna calling herself silent Anna, to her mother not speaking out about the rape. Anna does not tell her friends or her mother about the rape. The only person whom she confides in tells her that she is lying.

Finally, terror is portrayed by Anna's sister also being raped, killing herself and then Anna killing her step-father, illustrating that rape is not *just* rape, but has the potential to destroy a person's life, to tear apart a family and to shake the foundation of a society. *Dis ek, Anna*, is very successful in showing the far-reaching and devastating effects of rape.

4. USING BIBLICAL NARRATIVES AS AN EDUCATIONAL TOOL FOR CURRICULUM INTERVENTION

Analogous to these powerful stories narrating rape that already have been included in the South African school curriculum, the story that featured in this study, i.e. the rape of the

Levite's concubine in Judges 19-21 has great potential in helping students understand the extent of abuse women can suffer at the hands of men. In the final part of this thesis, I will reflect on how this most violent biblical text in Judges 19-21 could actually be used in order to mirror South Africa's context of alarmingly high rape rates. I will ask in this section, how one can re-read the narrative of the unnamed, voiceless concubine of Judges 19 in an attempt to challenge gender-based violence that permeates our contexts.

In an article "Towards a Logic of Dignity: Educating Against Gender-Based Violence" in the *International Handbook on Learning, Teaching and Leadership in Faith-Based Schools*, Juliana Claassens (2014, pp. 6-7) suggests that educators can follow steps in educating students about gender-violence by using a biblical text that narrates rape such as in the case of Judges 19-21 which include strategies such as helping students, both boys and girls, to recognize the reality of sexual violence in their communities, i.e. seeing rape as rape. Moreover, Claassens shows how biblical narratives can be used to teach boys to embrace other forms of masculinity as well as teaching the kids important skills such as critical thinking, empathy and compassion.

Whilst doing research for my thesis, I discovered a book that teaches young adults about difficult narratives in the Bible. Judges 19 being one of the most horrific stories in the Bible was presented with the title, "I Fall to Pieces". In this chapter, children are taught about the negative aspects of this narrative, which includes taking a concubine and then pushing the concubine out of the door. However, I was quite shocked to see that an implicit message of this lesson that the learners are taught that during biblical times, in contrast to the 21st century, it was normal to protect your male guests above all else. This was part of the society of the time.

The lesson ends with the moral of the story, in which the Levite is made a hero, who challenges a society and then also changes a society. The learners are left with these concluding thoughts:

"This story covers the spectrum. It goes from polygamy to homosexuality to rape to murder to dismemberment to war and finally to forgiveness and repentance. It would be easy to be intrigued by the story and miss the point. All of the change that happened in the nation of Israel began with one man. One man saw the sinfulness of his people and chose to take action. He asked his people to help him change his world. One man was motivated. One man

motivated the masses. Change occurred. Will you choose to be that one person? Will you allow the sin around you to motivate you to action? Every journey begins with one step, and every change begins with one person!" (Youth Frameworks, 2011, p. 6).

Unfortunately it is the moral lesson that a lot of people take from Judges 19-21, namely that homosexuality is such a "big" sin that it is better for the men to gang rape the woman. Moreover, it is problematic that the Levite can be compared to some heroic figure that is solely responsible for the vengeance of his concubine and the reconciliation of the men.

From the interpretation of Judges 19 that we have seen in this thesis, it has become clear that men have control over a woman's body and those women actually belong to a man. She is his property. In Judges 19-21 the reader can observe that even their sexuality was under the control of a virgin girl's father and a wife's husband. It is for this reason that the old man did not think twice to offer the two females, his daughter and his female guest to the men of Gibeah.

Likewise, the reader is not surprised when the Levite pushes the concubine out of the door. The same control over female sexuality and female bodies is revealed in our South African context when scrutinizing underlying mindset of our culture.

Claassens (2014, pp. 6-7) suggests that there are several themes that emerge from Judges 19-21 that can be utilized as a pedagogical tool in schools. For instance, Claassens notes that the reading of the narrative has a definite shock value and the narrative has the ability to draw one in. The learners will be shocked by the woman's plight and disgusted by the Levite's treatment of his wife. Furthermore, she adds that the narrative has the ability to offer teachers and learners the opportunity to speak about many similar stories in South Africa and also their own. And finally she proposes that using Judges 19-21 in the classroom might be a helpful pedagogical tool in order to teach learners empathy, thus, being drawn into the narrative and identifying with the numerous victims of violence.

I myself in the classroom I have gradually seen a change in children's attitude towards violence and gender violence. During my first year of teaching, a boy starting shouting at a girl and the majority of the class intervened. Nowadays, whenever there is

violence of any sort, children pull out their cell phones to video the event and later distribute it over Social Media. I contend that this is partly due to a lack of empathy.

Teaching Judges 19 will give learners the opportunity to not only listen but to share personal testimonies. This makes the experience more real and more learners will be able to relate, and in so doing will break the silence that exists around sexual violence.

It is important to note that Judges 19-21 cannot be taught as a single unit. Before an educator can even start to look at the narrative of rape, it is important to discuss such concepts like patriarchy, masculinities and rape myths. It is also important to show the learners that all of these notions are related and connected. Once learners grasp these concepts, the educator can start with the discussion on Judges 19-21. In the exemplar lesson plan on Judges 19 included at the end of this thesis, I demonstrate how I would approach teaching Judges 19 in a Religion Studies class in order to raise awareness regarding gender-based violence. Although I have adapted the lesson plan to fit into a Religious Studies course, it is important to note that this topic can be taught in many other learning areas as well.

Some of the challenges that an educator can face while teaching about gender violence in the Bible with specific reference to Judges 19-21, is that the topic and this particular text may seriously challenge the views of certain learners. In my grade 12 class for example, I have atheist, Buddhist, Islam and Christian learners. In my past experience, both the Islam and Christian learners in my class struggled with the concept of reading the Bible from a feminist perspective. It was difficult for them to comprehend that the Bible was written for men and by men. I found it important to suggest this and not teach it as an ultimate truth, because by teaching it as an ultimate truth it can take away from the legitimacy of the Bible.

The Western Cape Education Department has recognised gender violence as a growing issue in South African Schools. In 2001, The Human Rights Watch released a 138 page document titled *Scared at School*. This document refers to gender violence and how hundreds of South African girls are not completing their education because they are too scared of going to school. It is 14 years later and departmental officials are only attending conferences and training on sexual violence this year. This probably means that the

departmental officials will train principals and head of departments next year, which implies that in 2017; teachers will be trained to effectively deal with gender violence. This training will most probably be in the form of a Saturday conference, in which each teacher will receive a booklet. This booklet will probably stay in the drawer of the classroom where gender violence is taking place every day.

I have been a teacher for nine years now, and before this year, I have never reported a single case of sexual violence. This however does not mean that I have not seen a display of gender violence. The fact is that I never realised the devastating effects of gender violence. I was one of those many individuals who did not see rape as torture. There are a multitude of resources available for teachers on the issue of sexual violence, but before this year, I have never opened one. Schools prefer to deal with sexual violence independently, because then it is easier to sweep the problem underneath the carpet.

This year I have become painfully aware of manifestations of sexual violence. I now hear every single inappropriate comment. I take note of teachers who are allowing boys to be violent and justifying it by blaming their violent male genes. I have regularly heard grade 7 boys threatening to rape a girl. In light of my study I realize that what is needed is that more educators and students also understand the effects of rape, i.e. that recognizing rape as torture. I have come to realise that before we do that, the problem of sexual violence will never go away.

Although I have included a singular lesson plan (cf. Appendix), it is important to note that an educator cannot teach rape in isolation, or even in one school term. In order to teach rape, the management of the school, along with the educators must first themselves change their vocabulary and their attitudes toward rape. This would imply that an educator would no longer tolerate sexist jokes in the class nor be sexist themselves, amongst other things. In order for educators to transform the rape culture that exists in schools today, they must learn and teach a new vocabulary from the foundation phase. However, educators can only teach a new vocabulary of rape, if they come to understand the severity of rape, and the impact it has on our children and adults alike.

When I recently taught Judges 19-21 in my Grade 10 class, I started the lesson by asking them how they would define rape? The first boy responded by saying that “his

girlfriend was gang raped by a troupe of mime artists. They performed unspeakable acts on her”, to which the entire class burst out in laughter. I realised that they do not laugh because it is an uncomfortable topic; they laugh because they do not see rape as something horrible. I tolerated the laughter, and proceeded to discuss the rape stories in the Bible. The class was astonished to hear about the rape stories and they all agreed that they have never heard any of them, which created an opportunity to discuss the reasons why they have never heard about them. This created the perfect platform to discuss patriarchy and the effects thereof. The discussion moved beyond simple gender discrimination, to a lively discussion on the unfortunate reality of men earning more money than women for doing the same job. The discussion moved to a place where the students realized that patriarchy was created to keep women in a place of submission.

After two weeks of discussing patriarchy and the role of women in biblical times, we started reading Judges 19. At this stage the students were sensitive to the fact that not much attention were paid to women, and therefore they immediately noticed that the narrator spends very little time on the rape narrative and they also noticed silence of the concubine. We spent another week on comparing the rape of the concubine to stories in the Newspaper this year. Needless to say, we found rape narratives every single day. The students were shocked at the pervasiveness of rape, but they were even more shocked that they have never notice just how common rape is.

After much research I have learned that there are indeed people who are working to diminish sexual violence in schools, but not in a coordinated way. The reason for this is that is not yet considered to be a priority. As Deputy Head, I am in the process of writing a new Code of Conduct of our school, in which the perpetrators of gender violence will be dealt with and not just ignored. My research for the purpose of this study will thus in a very tangible way find its way into a school setting as we think together at our school about the best way of facing the reality of sexual violence in our school. This new guide that seeks to deal with gender violence in schools, starting with the Foundation phase is a first step in helping to create a world where rape is no more.

Chapter 5

Concluding Postscript

Gender violence has always angered me. Even without the horrific statistics, or a true knowledge of the reason for the high prevalence of rape, I have been outraged at the plight of many women and girls in my context. As I am concluding my research, I am not angry anymore, I am furious. I am furious because we are feeding lies to our youth. Tonight I watched the news, and a girl was yet again raped by an older boy. The news reporter stated that as viewers we must remember that the offender is nothing more than a child hurt by others, also a victim of sexual abuse. If it is true that hurt people hurt other people, then queer, working-class people of colour would be the most violent in South Africa. We must stop being a part of the problem, by lying about the problem. Men do not rape because they are poor. Men do not rape because they are uneducated. Men do not rape because the women was looking for it. Men do not rape because they are sexually aroused. Men rape because women are not seen as human. Men rape because the culture we live in are so use to rape that they do not see the horror of rape. It is time to break the silence around rape and call it what it is, torture.

Pumla Gqola (2015: 66) suggests that “the grip of violence is tightening around our collective necks”, and if we do not break the grip, we will suffocate and suffer to death. I contend that the only way to loosen the grip rape has around our necks is to address the real problem. The only way to address the real problem is to fully acknowledge the problem and support the seriousness of rape by not tolerating sexist jokes or choosing to ignore the stories around us. But even more important, we are called to take action. Rape is driven by power, but because of the silence of society it has become an act of indulging in this very drive. The fact that rape happens often and that we are use to the news, cannot and should no longer influence our ability to see rape for what it is: Torture.

JUDGES 19- EXEMPLAR LESSON PLAN

SUBJECT: RELIGION STUDIES

SUBJECT: RELIGION STUDIES			ASSESSMENT (FORMAL/ INFORMAL)
TOPIC: Rape as Torture	TERM 2	GRADE: 10	
Judges 19-21: Investigating the Rape of the concubine in Judges 19-21 and explaining why it can be seen as torture.	Before the discussion of rape in Judges 19-21, there will be an in-depth discussion about the prevalence of rape and the causes of rape, e.g.		
Pre-Lesson activity The learners must investigate the role of women in the Bible, which will steer them into the realization that the live of a woman was not of much value.	<u>Post-lesson activity</u> After an in-depth study of Judges 19-21, the learners will have time to reflect on the rape narrative. They will be sent home with the activity to write a diary entry from the perspective of the concubine before the rape. They will also write another diary entry as themselves and share how their lives have been touched by rape.		This section of the work will be asked in Paper 1. Where the learners have to discuss a rape as a social issue, with reference to Judges 19-21.
CONTENT: <ol style="list-style-type: none">1. Discuss other rape stories in the Bible, e.g. the rape in Genesis 19, David and Bathsheba and the Rape of Tamar.2. Learners will get the opportunity to share what they learned from investigating the lives of women during Biblical times. Learners will be allowed to share if they think they will enjoy living as a woman in Biblical times.3. Learners will be asked to start drawing comparisons between rape and torture, referring to the work done by Louise du Toit, and then applying the principles to Judges 10-21, showing why the rape of the concubine was torturous.4. Ask learners to identify characteristics form the Rape narrative in Judges 19 that can be compared with torture.5. Discuss and talk about the rape of the concubine as being torturous.6. Learners will be encouraged to think of practical steps to fight the prevalence of Rape in South Africa.			
METHODOLOGY: <ol style="list-style-type: none">1. Lesson2. Classroom Discussion			
LEARNER’S ACTIVITIES: <ol style="list-style-type: none">1. Diary entry from the perspective of the Levite2. Diary entry from the perspective of the concubine.			
Resources: <ol style="list-style-type: none">1. Bible2. Sacred Witness by Susanne Scholz3. Picture portraying the events of Judges 19-21 from the Midrash.			

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